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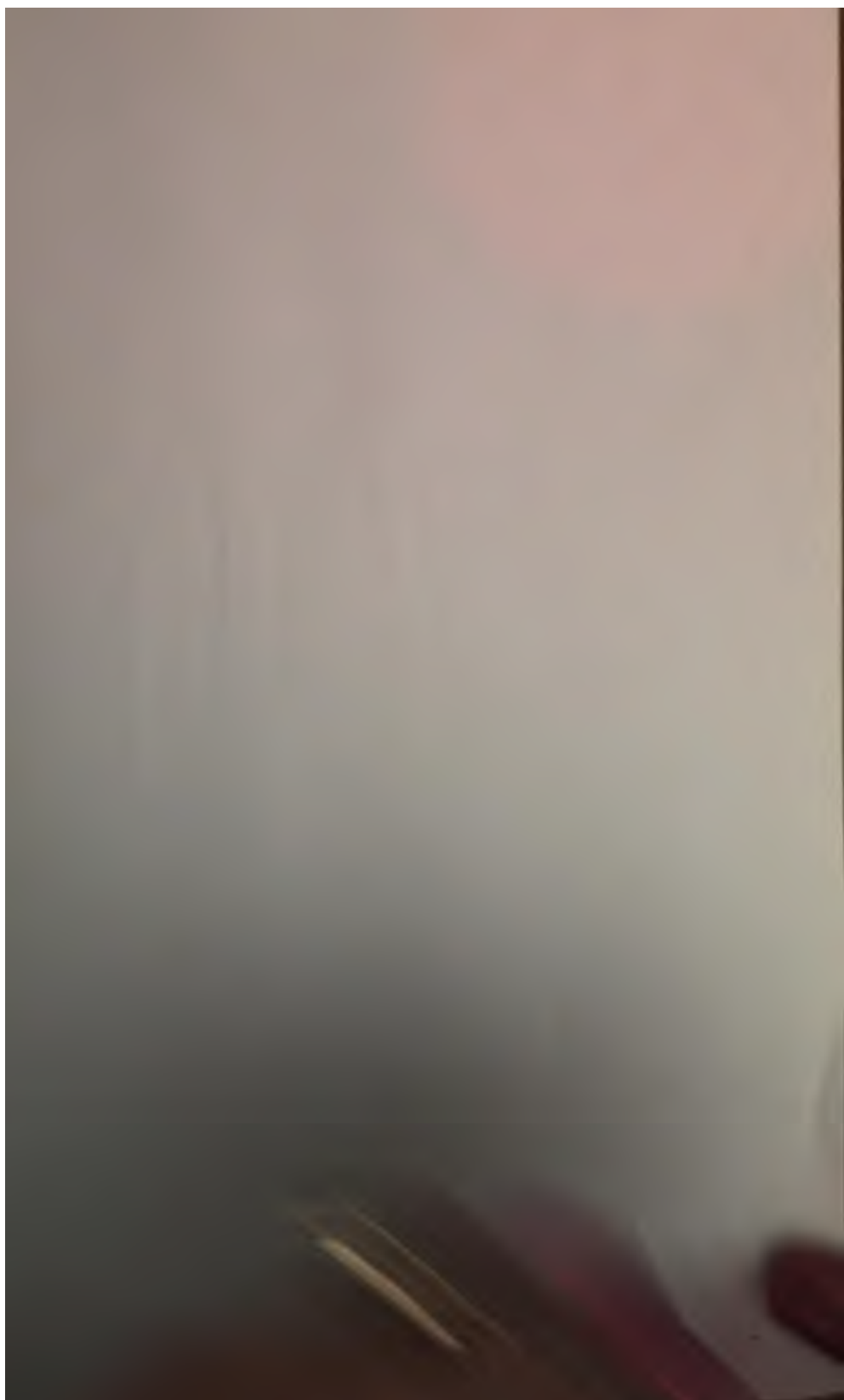


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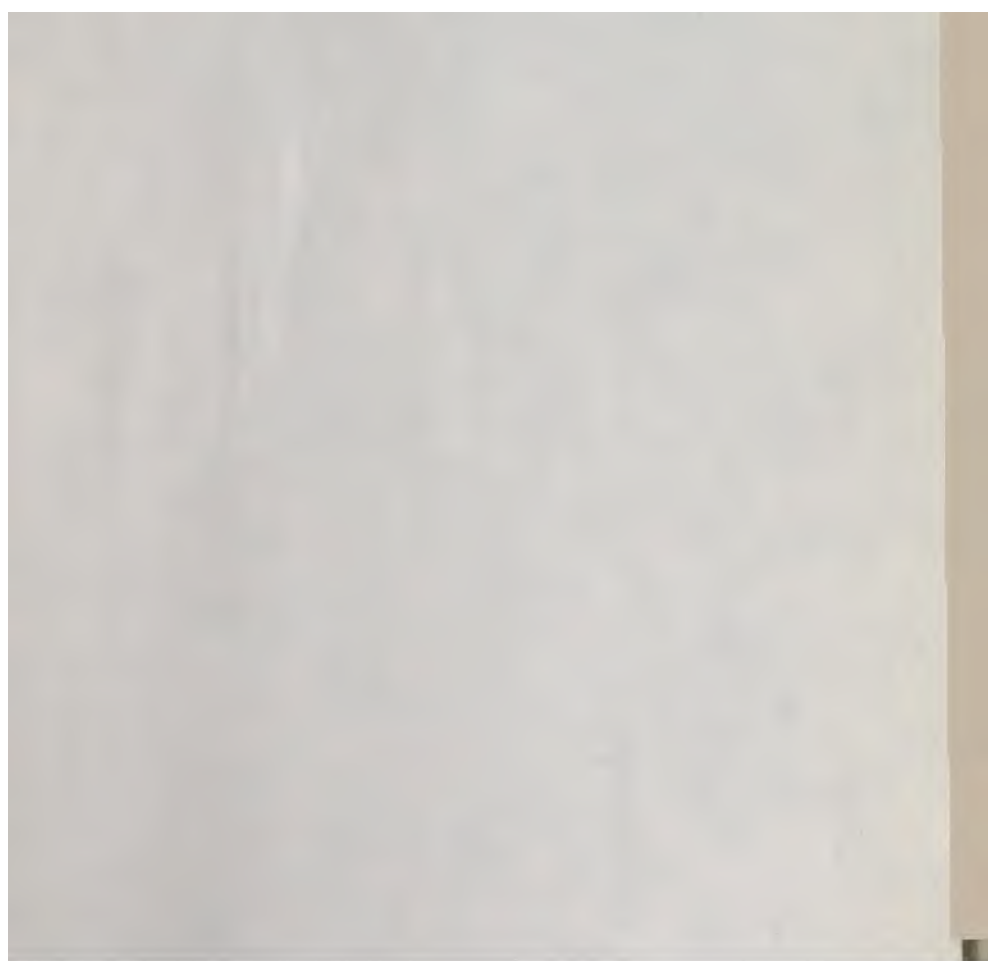


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## THE HUMANE REVIEW

NO GREATER SHAME TO MAN THAN INHUMANITIE.—Spenser.

# THE HUMANE REVIEW

VOLUME III.

APRIL, 1902, TO JANUARY, 1903.

LONDON :  
ERNEST BELL, 6, YORK STREET,  
COVENT GARDEN.

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1903.

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# THE HUMANE REVIEW.

## THE ETHICS OF BLOOD SPORTS.

**IT** has been the belief of the Christian Church that man, before the fall, had nothing to fear from the lower animals: that they lived on friendly terms with him, being the offspring of the same divine Creator and therefore were treated by him with kindness and respect. But as sin brought discord and strife into the world—discord between man and God, and between man and his fellows—so also it brought about discord between man and the lower creation. And this belief is so far corroborated by experience that there are very few animals which are not accessible to the influence of kindly treatment and capable of being tamed if taken in hand at an early period. The beautiful stories told of the charm exercised by St. Francis of Assisi and other saints over shy birds and wild animals are at least illustrations of the truth which we see from time to time realized, that it is possible by innocence, kindness, and sympathy, to win the confidence and affection of these creatures.

What are we to understand by the dominion which we are told has been given to man over the lower animals? It includes the right of training them for our use, as the elephant, the horse, and the dog, and for taking the lives of those which are designed to furnish us with food and clothing. If there are any which are irreclaimably savage

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or noxious, it would seem to be right to exterminate them. But the slaughter of animals, whether it be for food, for clothing, or for safety, should be effected in the speediest and most painless way, and should in no case be made a matter of amusement. They should be killed with as little preceding worry and torture as possible. In a primitive stage of human society hunting may be necessary to protect life from savage beasts or to obtain food and clothing. The love of hunting in fact is an instinct inherited from barbarous times, and survives as a fashionable amusement, when the chase is no longer necessary, and has therefore ceased to be justifiable. In the present day there is extraordinary inconsistency of opinion and practice with regard to sports. Bear-baiting and bull-baiting have been suppressed by law as cruel and inhuman. If half-a-dozen boys are convicted of chasing and worrying a cat to death, they may be punished by fine or imprisonment. But if a hundred ladies and gentlemen with the aid of a pack of hounds worry a fox, a hare, or a stag to death, it is considered a fine and noble sport. Yet the actual cruelty is the same in both cases. No one who has ever witnessed the death of a fox or hare torn to pieces by the hounds can deny that it is a disgusting and brutal spectacle; but the gaiety of the concomitants—the handsome horses, the scarlet coats, the pleasant company, the exhilarating exercise—all this glamour veils the cruelty of the sport and blinds people from seeing it in its true character. We must strip off the disguise and look at these things as they really are; and then what is the difference between the supposed case of the cat done to death by six urchins and a terrier after an exciting chase, and that of the fox, hare or stag done to death by a large and fashionable company of ladies and gentlemen “after a grand run with the —shire hounds”?

For rabbit-coursing and pigeon-shooting, which are practised with the most revolting circumstances of cruelty, there are not even the flimsy excuses that are offered for the fox or stag-hunt: for they are in no sense manly or invigorating exercises. But the advocates of those sports,

which are regarded by many as not only justifiable but praiseworthy and desirable, always evade the real question when pressed for an answer. They go off on side issues. Fox-hunting and stag-hunting, it is argued, help to keep up the breed of horses, or they promote good fellowship, or they are a healthful invigorating exercise. These arguments however are entirely beside the mark. Suppose the animal pursued were a human being: the exercise might be equally invigorating and exciting to horses, hounds and hunters, if he could run fast enough; but would it be justifiable? It is also said that as much cruelty or more is practised in other ways as in these sports. This may be true, but other and greater wrongs do not make a lesser wrong right. If a man were accused of stealing a horse, it would not help his case if he could prove that the magistrate on the bench had stolen two horses.

The truth is that there is a great deal of sophistry and cant in connection with the popular defence of all blood sports. We must pin men down to straightforward answers to plain questions, "Are these sports cruel?" "What proof can you produce that they are not?" If we insist upon these questions being answered without shuffling or evasion, we shall drag a confession from honest men that they indulge in this form of recreation, not because it is justifiable, but simply because they like it. And by persisting steadily in this course we may hope at last to make such an impression upon the public conscience that it will demand the abolition of that which it cannot approve. The amount of support which the Bishop of Hereford's Bill has received outside Parliament is very significant, and encourages the hope that the day is not far distant when the list of illegal sports will be considerably increased. Fox hunting will probably be the longest lived, because it is regarded as a kind of national institution. Yet it is really one of the least defensible, since the fox is a mischievous noxious beast which might be got rid of altogether with advantage, but, instead of that, is preserved in order to be tormented.

W. R. W. STEPHENS.

## RUSKIN AS PIONEER.

"*Chærephon*. What cry is that, Socrates, which came to us from the beach; how sweet it was; what can it be? The things that live in the sea are all mute.

"*Socrates*. Yet it is a sea-creature, Chærephon; the bird called Halcyon, concerning which the old fable runs that she was the daughter of Æolus, and, mourning in her youth for her lost husband, was winged by divine power, and now flies over the sea, seeking him whom she could not find, sought throughout the earth.

"*Chærephon*. And is that indeed the Halcyon's cry? I never heard it yet, and in truth it is very pitiful. How large is the bird, Socrates?

"*Socrates*. Not great; but it has received great honour from the Gods, because of its lovingness, for while it is making its nest, all the world has the happy days which are called Halcyonidæ, excelling all others in their calmness, though in the midst of storm; of which you see this very day is one, if ever there was. Look how clear the sky is, and the sea waveless and calm like a mirror!"\*

So Ruskin translates a part of Lucian's dialogue concerning the old Greek fable of the kingfisher. And he dwells on that ancient tale at much length, and with great affection, as finding there the suggestion of some intimate and tender relationship between this bird that loved its mate so well, and the powers of nature, which we in our ignorance think of as unconscious or as stupidly indifferent to the frail creatures that hold an uncertain life here, amid the changes of outward things. And all through the story, as Ruskin translates or interprets it, we are made to feel the

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\* "The Eagle's Nest": *Story of the Halcyon*.



brooding as of a spirit of fellowship and sympathy in that non-human world of which we know so little. But his main concern throughout this Halcyon Lecture, is to insist on the necessity of cultivating a certain gift or capacity of human understanding, if ever we are to come into right relations with nature and with one another, while we are together here. It is the gift of *sight*—the power to see things justly and affectionately, so as to know them as they are, and take delight in their life, and be saved from doing them wrong. He gives some account of the bird known as the Lesser Egret, and records the fate of what was probably the last but one known to visit the English coast.

"Let us take an instance of the feeling towards birds which is especially characteristic of the English temper at this day. The Lesser Egret is the most beautiful, I suppose, of all the birds that visit, or, at least, once visited, our English shores. Perfectly delicate in form, snow-white in plumage, the feathers like frost-work of dead silver, exquisitely slender, separating in the wind like the streams of a fountain, the creature looks a living cloud rather than a bird.

"It may be seen often enough in South France and Italy. The last (or last but one?) known of in England came thirty years ago, and this was its reception, as related by the present happy possessor of its feathers and bones:—

"The Little Egret in my possession is a most beautiful specimen: it was killed by a labourer with a stick, in Ake Carr, near Beverly, about 1840, and was brought to me, tied up in a pocket-handkerchief covered with black wet mud and blood, in which state it was sent to Mr. Reed, of Doncaster, and restored by him in a most marvellous manner.'

"Now you feel at once that while the peasant was beating this bird into a piece of bloody flesh with his stick, he could not in any true sense, *see* the bird; that he had no pleasure either in the sight of that, or of anything near it.

"You feel that he would become capable of seeing it in exact proportion to his desire not to kill it; but to watch it in its life.

"Well, that is a quite general law: in the degree in which you delight in the life of any creature, you can see it; no otherwise.

"And you would feel, would you not, that if you could enable the peasant rightly to see the bird, you had in great part educated him?"

Then he proceeds to show that this rough labourer is no worse, indeed is in one sense better than the game-killing



gentleman, who is commonly thought to be so much more refined and educated than he :—

“I go back to my peasant and his egret. You all think with some horror of this man, beating the bird to death, as a brutal person. He is so; but how far are we English gentlemen as a body raised above him? We are more delicately nurtured, and shrink from the notion of bruising the creature and spoiling its feathers. That is so far right, and well. But in all probability this countryman, rude and cruel though he might be, had some other object during the rest of his day than the killing of birds. And very earnestly I ask you, have English gentlemen, as a class, any other real object in their whole existence than killing birds? If they discern a duty they will do it to the death; but have the English aristocracy at this moment any clear notion of their duty? I believe solemnly and without jest, their idea of their caste is that its life should be, distinctively from inferior human lives, spent in shooting.”

A man then, according to Ruskin, be he peasant or peer, who can find pleasure in killing any creature, has never learned to see that creature *rightly*, which is, to see it so as to rejoice in its life. It is often said that people are cruel through lack of imagination. And we mean by that, that they have no clear vision of their fellow-beings, and, therefore, no fellowship with their life and its joy or its pain. Very few are *gratuitously* cruel. Not many fiends do walk the earth in human form. Neither the man, of whom Mr. Hudson tells, who boasted that he had shot and stuffed the last kingfisher on his native stream, nor those who migrate annually to the shooting-grounds of dukes and earls, are really demons who delight in death. But they are blind; they cannot see from their hearts; they do not love; they have no peaceful or passionate sympathy with living things. Hence it amuses them to kill. Rabbit-coursing is really a pastime to many who work in coal-pits. A “shooting-box” on the moors is quite a palace of delight to many who, during the London season, ride in Hyde Park or make laws at Westminster. It would not be so if they could *see*.

Now, this gift of sight—of sympathetic insight—denied, it would seem, to so many, was granted to Ruskin, and he knew it and was proud of it, and put it to use, and brought

it, by exercise, to some degree of perfection. I think that this quality, together with a swift and keen sensitiveness to the pain and joy of living things, was the noblest and most effective force in his character. It was this, at any rate, that roused him to what he held to be the real work of his life. We must admit that it failed him sometimes. One cannot claim for him that his relation to all forms of life was consistently humane. His love of flowers and birds and many lowly creatures of the earth was, doubtless, something akin to that of St. Francis, who liked to call them his "little brothers." "My gardener has positive orders never to trouble the birds in anything, or object to their eating even my best pease if they like the flavour." And as a consequence of this they "rather get *into* my way than out of it, when they see me about the walks; and take me into most of their counsels in nest-building"—which of course is very pretty. And I do not forget that the advent of the vivisector to Oxford finally drove Ruskin from its academic precincts—never perhaps to set foot within them again. Nor do I forget the fifth article in his creed of the St. George's Guild. "I will not kill nor hurt any living creature needlessly, nor destroy any beautiful thing; but will strive to save and comfort all gentle life."

Still we must admit that a man's education is lacking, who, *e.g.*, when denouncing the drunkenness he has seen among a certain degraded people, can speak of them as possessing "a nature sunk more than halfway towards the beasts."† No man would libel the beasts thus who had entered into the deepest humane relations with them. I have never yet seen anything in the wild creatures of the air and woods and waters that can for a moment be compared with the degradation of drunkenness or gluttony to which human beings sometimes sink. Moreover, with all his kindly feeling towards animals, Ruskin has said nothing to indicate that he had the smallest hesitation or regret in the matter of

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\* "Time and Tide," Letter XX.

† "Time and Tide," Letter IX.



*eating* them. When one thinks of the horrors connected with the business of bringing living creatures from all parts of the world, over the sea, and in railway trucks, and through the streets, to the slaughter house, and thinks also of the effect of this on human beings who have to do it, that we may eat the flesh of these creatures, it is a little strange that this preacher of kindness and gentleness has uttered no word of condemnation or disgust in relation to that.

It is the human sympathies that are the most fully developed in him. It is in his attitude towards the great wrongs by which men and women are afflicted that the strength of his moral insight is made known to us. As sure evidence of this, take what is perhaps the one most significant fact in his tortuous and troubled career. He was born to wealth and brought up in more or less selfish peace and physical comfort. He was privileged to possess himself of the best things of art and literature, and to visit from boyhood onwards the finest scenes of natural beauty in Europe. And his power of enjoyment in these things was such that he might easily have been well content with his lot. And yet in the prime of early manhood, and in the full tide of prosperous activity, with the voice of fame just beginning to sound in his ears, he becomes sick and disgusted with it all. The delights of art and the glories of nature turn to dust and ashes before him—the very light of the morning sun becomes hateful to him. And why? Not from any personal motive or by reason of any great calamity falling upon his own individual happiness. But because to the majority of his fellow men he found these things, that made life so rich to him, denied—rendered hopelessly inaccessible by the conditions of life amid which they were forced to exist. He saw them cut off from nearly all that gave him noblest happiness, and his humanity could not stand that. The shock of this discovery changed the direction and intent of all his after life. Sympathy with men—the force of imaginative insight into the real condition of their lives drove him sheer out of his own paradise of beauty and plenty and compelled him to take up their cause and fight against those demons of wrong which made all worthy

and sufficing happiness well-nigh impossible to the majority of his fellows. This, as I read his life and his books, seems to me the main determining motive of his manifold effort during the last forty years.

And the temper of soul which this indicates may account, too, for some of his grave faults. They are the defects of this quality, as it strove to exercise itself, under conditions so alien and adverse in modern English life. His petulance, his self-assertion, his waywardness and impatience, his half-childish outbursts of passion—these are surely, in great degree, the not unnatural results of that restless unhappiness which the vision of human wrongs produced in him. When we reflect that his first seventeen years were spent in a home where two wealthy and watchful parents lived only to take care of him, where he was guarded and curtailed round by all the comforts and luxuries their sleepless love thought wise to procure, and then in early manhood found himself in a world where, for most, existence was a life and death struggle with adverse conditions and, for many, a state of exile from those things of beauty and sweetness and peace which were to him the soul's true wealth and happiness—when we consider this, we may no longer think it strange that his heart should be torn and rent with the ambition to change it all. And then, as he slowly learned that he could not change it, perhaps it was only human that he sometimes lost his temper and his self-control, that he grew more and more impatient, that he wrote foolish, fierce, and even spiteful words, in the heat and horror of his soul.

But I do not wish to defend, or to apologise for, these failings in him. Ruskin was no saint, nor a model of sweet reasonableness. His bitter and petulant words may have done much to injure his cause and to mar the work of his life. Let us turn from these to dwell on one or two illustrations of that gift in him which was so consummate, and which made him so strenuous an advocate of what is humane and merciful, noble and compassionate in human things. I think that this force of sympathy in him reached to what we often call, perhaps also in our ignorance, *inanimate nature*. His

power to see and to enjoy the forms of rock and wave and cloud seems a direct outcome of this. He reminds one of Wordsworth, even of Thoreau, at times, by his intimacy with these—by his close fellowship with Nature, in her wildness and her majesty and her peace.

That amazing passage in the "Harbours of England," descriptive of the old fishing-boat lying on the shingle, could hardly have been written by any man who had not, in a way, made himself one with the seemingly inanimate forms he is contemplating. Not only the toils and dangers of the men who had risked their lives in that old craft, and the fears and griefs of those who had waited their return, on stormy nights, and sometimes found their bodies tossed up on the beach at morn; but the tumbling waves and the weather-worn planks and the blackened sails are all *in the man's heart* as he writes of them. So, too, when he writes of the forms of life in the manifold plant world—of trees and mosses, grass and flowers—it is often as if the soul in himself had come into intimate fellowly relation with the soul in them. Not the mere external beauty, if there be such, but the *spirit* of growing things would seem to have entered into living relation with his own. When he pours himself forth in rage at sight of a number of English youths flinging themselves in wanton recklessness upon a group of Alpine roses in the Swiss Highlands, and leaving it all trampled and devastated, it is the rage of one who cared for the life of those happy flowers, blooming in the free air and sunlight of the hills; for he, too, had said, with Wordsworth:

" 'Tis my faith that every flower  
Enjoys the air it breathes."

But from the first, so he assures us, his feeling for Nature was mingled with that human sensibility which was to be so strong an element in his life and work. Like Wordsworth, again, but at an earlier age than Wordsworth, his love of mountain and valley and stream was touched with sympathy for the people who dwelt among them. The passage in "Præterita" (Chapter VI.), in which he tells of his introduc-



tion to real life at sight of the Alps from Schaffhausen, claims more, perhaps, than a boy of fourteen did actually feel at the time. But, allowing for some exaggeration, it may be read as an illustration of the early awakening of a gift which determined so much of his purpose and effort in later years.

It is in a chapter of the "Stones of Venice," entitled "The Nature of Gothic," that the force of his insight into the real condition of human life and labour finds its first clear and passionate expression. He was but little over thirty years of age when he wrote that—nearly ten years before "Unto this Last" was to come. Let any one read sections 9 to 37 of that chapter, and remember that it was written more than fifty years ago, and he will see with what justice we may include Ruskin among the Pioneers of Humanitarianism.

Then turn to the passage in the fourth volume of "Modern Painters," written some four years later, in which he describes the mountains about Martigny as they rise above the valley of the Rhone. It is in the chapter headed "Mountain Gloom." Let that passage be read, not only for the amazing eloquence of some of its descriptions, but for the passionate human sympathy that is manifest there—the writer's heart being all the time with those Alpine peasant folks, whose lot was so hard and their labour so incessant, that all the beauty and peace of nature was lost to them; and seeing this, the joy of it all was lost to him also. That "mountain glory" became, for him, the "Mountain Gloom," because the lives of the people who dwelt there were spent beneath the shadow of such oppressive, unrelieved and ill-requited drudgery of toil.

The shadows were gathering darkly over his own spirit now, and he was soon to throw himself into the work which should bring him, through the remaining years, the greatest labour, the fewest thanks, the keenest sorrow, and yet, perhaps, the highest reward his eager, restless life should know. Few things are more pathetic and affecting, and few might be more inspiring, than the sight of this once petted and half-spoiled child, this sensitive, delicately nurtured man, endowed,

by nature, with great intellectual gifts and, by fortune, with great wealth, turning, in mid career, from his own personal enjoyment of these to the problems of poverty and the claims of the workers and the wrongs of the modern social state. You may say, truly enough, that such sacrifice is only what might be expected of every man thus endowed; but of how many to-day can you venture to hope for it?

It was not long after the writing of that fourth volume of "Modern Painters" that Ruskin set himself to the study of Political Economy. It is well to note in what temper of soul he did this and to what purpose he meant to apply the results of his new enquiries:—

"For my part I feel the force of mechanism and the fury of avaricious commerce to be at present so irresistible that I have seceded from the study, not only of architecture, but nearly all art; and have given myself, as I would in a besieged city, to seek the best modes of getting bread and butter for its multitudes."

"I am not an unselfish person, nor an evangelical one; I have no particular pleasure in doing good; neither do I dislike it so much as to expect to be rewarded for it in another world; but I simply cannot paint, nor read, nor look at minerals, nor do anything else that I like, and the very light of the morning sun has become hateful to me, because of the misery I know of, and see signs of where I know it not, which no imagination can interpret too bitterly. Therefore I will endure it no longer quietly; but henceforward, with any few or many who will help, do my best to abate this misery."

When he had read what the orthodox political economists of fifty years ago had to say, he left England for a year and alone, among the vales of Chamounix, pondered the whole question—thought out for himself another way of life than that which he found supported by economic theories, and saw prevailing, to such sorrowful issues, in commercial practice. Then he spoke. In 1860 there was given to a scoffing world, in the pages of *Cornhill*, the little series of papers entitled "Unto this Last." I suppose that no writer on economics could now afford to despise the argument of that book, or moralist or reformer be indifferent to its appeal. But such "arrant nonsense" did it all seem to most readers of that day, that his friend Thackeray, who

then edited *Cornhill*, had to beg Ruskin to stop at the end of the fourth paper, or his magazine would be ruined! Yet it may be questioned if any book of the century has got closer to the roots of the great social evils than this little one of less than two hundred pages.

A year later came "Munera Pulveris"; in 1867, "Time and Tide"; in 1871 and onwards, "Fors Clavigera." In all these, sometimes by subtle analysis and close reasoning, sometimes by impassioned appeal or scathing wit, sometimes by fierce denunciation of wrong, and sometimes by glowing pictures of human peace and gladness, yet possible to be realised on earth, he has laboured to deliver his message and proclaimed his gospel of social reform.

Ruskin, I suppose, was, by nature, an artist—a seer and a lover of the beauty of the world. But Art to him was not merely or chiefly the painting of noble pictures, and knowing how to enjoy them—or building fine cathedrals, and knowing how to worship in them. It was the crown and glory of human life. To be an artist was to behold and delight in the exceeding loveliness of things, and then to express, at least something of that vision and that joy in human work, and to praise and love the Creator of a world so fair. But this vision and this joy which had been granted to him he could not possess alone or with a few favoured and privileged men and women. His heart was with the people, because his eye discerned their need. His sympathies went out to the great unfavoured, unprivileged masses; his imagination kept continually before him the scenes of squalor and vice and poverty in our great cities. And this at times obscured, and always blurred the glory of that vision of loveliness which Nature had revealed to his eye and to his heart.

And his charge against the indifferent who would not help to alter things is, not so much that they are selfish, as that they are blind. "The cruellest man living," he says, "could not sit at his feast unless he sat blindfold."

To break down the walls that divide those who feast from those who famish—to open the eyes of the wealthy and privileged to the real condition of the poor and un-



privileged—this was the task he laid upon himself, because he cared so much for human lives.

One thing you may find that Ruskin has taught us—one great original contribution he has made to the vexed question of the social and industrial betterment of life. It is, that if, either in your theory of economics or in the practical affairs of business, you ignore the moral claim—if in trade or in politics, in the production or distribution or control of things needful to existence here, you leave out the supreme human element, viz., the affections—if you regard human beings, *any* human beings, as mere wealth producers and wage-earners, and do not regard them as men, as brothers, as fellow mortals, claiming at every stage, and in every condition of life, justice, sympathy and love, then you are wrong—entirely wrong, and the effect of your theory, and the result of your action will be harmful, degrading and disastrous to yourself and to those with whom you have to do. The old “economic man,” with his motive of selfish gain, and his doctrine of utility and expediency to guide him—this cold, calculating merciless fiction of the orthodox economists is banished from Ruskin’s theory of social and industrial life; and the human brother, with his right of justice from all, and his duty of service to all, stands in the place thereof. And his great contention is that not for pay, and not under pressure of hard necessity will you ever get the best work out of any man. You will get it only “when the motive force, that is to say, the will or spirit of the creature, is brought to its greatest strength by its own proper fuel, namely, by the affections.”

To preach this ancient Christian gospel of human fellowship, to show its application to the needs of to-day, and to labour for it as best he could—to this work Ruskin gave those last forty years of his life. He wore out his physical and mental strength, and he spent most of his fortune in the aim and the effort to drive this gospel home. It is hard to believe, even in face of all that is going on around us now, that those years and those energies have been spent in vain. His own *theory* of human society—his constructive doctrine of commercial and industrial economy, may not be found workable;

probably it is well that it should not. But his analysis of the social problem has not been refuted, and may prove as sound and sure as it is searching and brilliant. And his example of heroic devotion and personal sacrifice is surely too strenuous and noble not to move many to follow it. And, amid all the gloom and depression of these dark days, it may not be vain to hope that a great company of rich and powerful and enthusiastic disciples of the spirit of Ruskin will yet arise. When men and women of this English race—or any other race—born to wealth, as he was, or attaining to it, but endowed with gifts of practical insight and power of organisation, as he was not—when these shall cease to *care* for wealth, as a means of personal enjoyment or of worldly display—shall cease from labouring on to the end of life to make more and more wealth, and shall no longer be content with lavishing mere gifts of “charity” out of their abundance—when they shall dedicate, as he did, their riches and time and talents to the cause of human deliverance; and when, moved by genuine human sympathy and a strong sense of justice, they shall strive in business, in politics, in all social affairs, to create a community of service and a brotherhood of goodwill—shall aim to replace this hard and cruel strife of competition by a friendly and merciful and masterly fellowship of co-operation—then the new and happier day will dawn. For these rich and strong and privileged men and women will not work alone. They will be free to join hands with that larger company of democratic reformers—with the young and powerful Labour Party, which is now striving from below to work out a salvation for the toiling multitudes. And then there will be peace—peace between what are sometimes foolishly called the “classes” and the “masses”; and in that peace there will be a great new power at work, whereby justice and love shall prosper, and the fair brotherhood of man be established in truth and happiness on the earth.

W. J. Jupp.

## THE HOWARD ASSOCIATION AND THE PUNISHMENT OF CRIMINALS.

THE object of the Howard Association, as stated at the head of the last Report, is "the promotion of the best methods for the treatment and prevention of crime, pauperism, &c." In other documents its object appears to be described as promoting the most efficacious methods of repressing crime. I have nothing to say against either of these objects. But why introduce the name of John Howard into the title of such an Association? What Howard endeavoured to effect (with considerable success) was the amelioration of the condition of prisoners; but the authorised programme of the Howard Association is entirely silent on this subject. Moreover, the erroneous impression caused by the use of an inappropriate title is furthered by the list of patrons, many of whom are known to advocate the more lenient treatment of prisoners—and were perhaps induced to join the Association on account of its name. And the Association *has* on more than one occasion urged the more lenient treatment of prisoners, though it seems to be more concerned about prisoners in the United States or Morocco than about those at home. This last feature I regard as very unfortunate: first, because it is calculated to convey to the home authorities that we have nothing to complain of in their treatment of prisoners, and that, in fact, their humanity is so well known that we need not hesitate to

invoke it on behalf of outsiders ; and, secondly, because it will induce other persons to regard the members of the Association as doctrinaires who are trying to force their theories down other people's throats, although the action of these other people may not in any way concern them. An English philanthropic society should take every opportunity of calling attention to our own faults and pass lightly over those of other countries. The Howard Association has, I think, done the reverse. The Howard Association cannot be blamed for its programme, but only for the adoption of a title which is calculated to mislead the public as to its objects. Founded by the late Lord Brougham, "The Brougham Association" would have been a better name. But when a Society, which by its name, its list of patrons and the titles of some of its publications, claims to be the advocate of leniency towards prisoners, as far as is compatible with the public interest, urges greater severity towards the convicted, this is looked on as an unwilling confession by the friends of the prisoner ; and the real disciples of John Howard—the advocates of leniency—are placed in a false position by the action of those who use the name of Howard when propagating theories more nearly akin to those of Draco. That the Howard Association seeks to occupy too much ground is a point on which I need not dilate. Its objects apparently cannot be stated without an "etc.," and its latest Report contains "a little of everything." But I am only concerned with the parts of this Report in which the Society advocates greater severity towards convicts and even describes as "fatuous" the shorter sentences of which John Howard if living would no doubt have approved.

The cellular, or separate, system is one which the Howard Association has strongly urged, and has to a considerable extent been adopted at its instance by the prison authorities. The Report states that the Association is strongly opposed to solitary confinement ; but this separate system involves a good deal of solitude, and to prisoners of a social disposition it is a very severe infliction. The Association dwells on "the mischiefs of the promiscuous association in prisons of the



most depraved criminals with first offenders and youths," which must be admitted; but surely the cellular system is not the only mode of avoiding these evils. The Report admits indeed that the evil has been "greatly diminished" by the "improved classification" lately adopted in these prisons—including, moreover, the convict-prisons reserved for persons undergoing long sentences of penal servitude. Why not carry this improved classification farther, and thus enable us partially to relieve the solitude? Again, we are told that both in this country and elsewhere the better class of prisoners often refuse to converse with those of the worst class. If so, there does not seem to be much risk of contamination. But, if a prisoner is kept in great solitude, he may embrace the opportunity of conversing with any scoundrel when he gets it, merely because he wants to say something to somebody. And there can be little doubt, I think, that this solitude is one source of prison-made insanity, which is decidedly on the increase.

Some people speak of loneliness as if it were conducive to repentance and reform. Of this I can see no proof either *à priori* or *à posteriori*. It is not good for man to be alone. Hermits and recluses have conferred little benefit on mankind, and often appear to have become partially insane. Turning the mind back on itself is not a healthy process. And since this solitude was introduced into our prisons, although it must have cut off a good many evil communications, I cannot see that there has been any increase in the number of prisoners reclaimed. Relapse into crime has, in fact, become more frequent, as is acknowledged elsewhere in this Report. That our existing prisons do not reform the prisoners, seems to be admitted by all who know them. The prisoner is not a better man when he leaves than when he entered. He is often worse. Governors of prisons and other prison officers have often stated that they do not aim at reforming the prisoners. They only seek to deter them—to make them afraid to come back. Solitude, as I have said, cuts off evil communications. Otherwise, the only benefit to be derived from it is that it sometimes acts

as a deterrent—it makes the prisoner afraid to come back and endure a second term of it. But when a prisoner is not reformed, but merely deterred, he is very likely to return to his evil ways. His previous conviction and imprisonment render it more difficult for him to earn an honest living (with a ticket-of-leave man the difficulty seems almost insuperable), and he thinks he sees a better chance of committing a crime with impunity, avoiding the acts which had previously led to suspicion and detection. A reformed man may sometimes relapse, but a deterred man is much more likely to do so. He has no wish to abstain from crime. He only wishes to avoid punishment.

But having advocated the cellular system and partly secured its adoption, the Howard Association seems unwilling to admit that as a reformatory agency this system has failed—a result which might have been anticipated from the fact that it contains no active reformatory element, but merely seeks to protect the prisoner from evil associations. It is not, we are told, the fault of the prisons or of their managers—nor, I presume, of the present prison system—that real reformation is so rare and relapse into crime so frequent. “It is not the fault of the prisons, but of the sentences.” But how are the sentences in fault? Because they are not long enough. Solitude for a moderate time having been vainly tried, our only resource, according to these doctrinaires, is to try it for a longer time. Short sentences are “fatuous.” They are “perfectly useless.” Nay, more, they are “positively mischievous.” “How in general,” asks the compiler of the Report, “can even the best prison managers reform in a few days or weeks or even months, the ingrained habits of many years or a lifetime of drunkenness, vice and theft. The eradication of bad habits and the formation of good ones *must* be a matter of time.” The “essential element of time” is thus the fundamental principle on which we must rely. And similar expressions of opinion may be found elsewhere in the publications of the Howard Association. Imprisonment, it is alleged, does not reform the majority of criminals, simply because the terms



to which we sentence them are too short. Long sentences combined with seclusion are required in order to reform them.

But if imprisonment under the present conditions has no tendency to reform anyone (which seems to be the fact), why should we expect a long term to prove more efficacious than a short one? If we set a wheel revolving on its own axis, it will make no more progress in twenty years than in an hour. The element of progress is not there. That long sentences have, to a certain extent, a greater deterrent effect than short ones must be admitted; but where is the criminal who weighs the prospects of punishment so minutely as to be deterred by the certainty, if convicted, of ten years' penal servitude, though the similar certainty of eight years' penal servitude would not suffice to restrain him? I am writing however of reformation, not of mere deterrence. A system which has no tendency to reform the prisoner will produce no better result in ten years than in a month. There may be a greater chance of a man being reformed by some other agency during the longer period than during the shorter one, but a man is more likely to come in contact with reformatory agencies when out of prison than when in it. Nor is the reclamation of men and women from vice and crime the slow process that is here described. Sudden conversions, if not the rule, are at least frequent. It is not by the process of getting drunk three times a week instead of every day, and then reducing the three days to two days and afterwards to a day, that the habitual drunkard is reclaimed. He usually gives up drinking at once. There may be a relapse and a second reformation, but even then the process is not one of slowly wearing out the fault. And can it be said that a habitual drunkard can be reformed by the simple process of keeping drink from him for a sufficient length of time? I apprehend not. If he has no wish to keep sober, he will begin to drink again as soon as he has an opportunity of procuring his favourite beverage. And similarly if a prisoner has a passion for theft (instead of merely trying to earn a living by it when he would be "very

hard up" otherwise) the same remark applies. By locking him up for a long time in a place where he has no opportunity of stealing, we do not change his character. He will be ready to steal again as soon as he gets the chance—unless indeed the punishment which has failed to reform him proves sufficient to deter him. I do not believe in reform *by punishment* at all. Leniency is much more likely to prove effectual with any one whose character is not wholly bad. Punishment is apt to run into excess, and even when it does not, the person on whom it is inflicted may regard it as excessive. Respect for parents or teachers may prevent us from regarding *their* punishments as excessive when an impartial outsider would do so; but nothing of this kind occurs in the case of the criminal, and the man who regards his punishment as excessive, and feels indignant with those who inflicted it, is not in a frame of mind well suited for repentance and reform.

But, after insisting so strongly on the necessity of time for reformative punishment, the good sense and humanity of some of the members appears to have got the better of their logic (if that term can be applied to conclusions drawn from mere assumptions), and we are told that instead of seeking at once to reform the prisoner by a long course of so-called reformative treatment (which, I think, makes a close approach to torture), they desire to substitute for imprisonment, whenever the safety of the public admits of the substitution, Fines, Admonitions and Conditional Liberty. Where does "the essential element of time" come into Fines or Admonitions? Are we not, by adopting them instead of imprisonment, substituting for a reformative process, a process which does not reform? Conditional Liberty may or may not involve the time element; but the Association seems to advocate it, with the addition of police supervision. Now a man under police supervision usually finds it more difficult to earn an honest living than a man who has served out his sentence. An ex-convict whose sentence has expired can often get a fresh start in a place where he is not known; but the man who is under supervision finds it



difficult to conceal his real position from his neighbours, and may even incur a penalty by attempting to conceal it. But if strict discipline for a considerable time be the only safe road to reclamation, fines, cautions and conditional liberty are even more conducive to recidivism than the short sentences—the fatuous sentences—of which the Howard Association complains. That these short sentences do not reform the prisoner, I admit. But neither do the long ones; and unless the deterrent effect of the latter is much greater, the former are in all cases preferable. This is not mere theory. The average duration of sentences has for years past been steadily diminishing and crime has gone on diminishing notwithstanding. Judges like the Recorder of Liverpool, who have tried the short-sentence system, are satisfied with its results. I have never seen any attempt to prove its failure on statistical grounds. The current argument against it is nearly two centuries old.

“And coxcombs vanquish Berkeley *with a grin.*”

The Howard Association, however, while it hesitates to advocate longer sentences for all offenders so as to give them the benefit of “the essential element of time,” advocates this longer duration of imprisonment for all who have been convicted more than once—of the same offence. (Sameness of the offence seems requisite; for how could we possibly apply a sliding-scale to a man whose first offence was forgery, his second assault, and his third black-mailing?) Short sentences again and again repeated are “fatuous.” We must try longer sentences, and this object the Howard Association proposes to effect by depriving the judge of all discretion in the matter, and settling the duration of all punishments (after the first) by means of a sliding-scale.

The crime for which repeated convictions are most numerous is drunkenness accompanied by disorderly conduct. The habitual drunkard who is also disorderly when drunk, is no doubt a nuisance; but he is not very dangerous, and society requires but little protection against him. The evil is not a great one, and does not warrant the employment of

drastic and expensive methods for its removal. Imprisonments, however short, act as a warning to others, and may induce the friends or relatives of the drunkard to keep him out of the way when in his uproarious moods. Public opinion would hardly sanction long imprisonments for such an offence; and, of course, when the sentences are short, the unreformed drunkard will frequently re-appear before the magistrates. But the man who has suffered a long term of imprisonment for this offence, will probably come out equally unreformed, and will get drunk as soon after his release as if the imprisonment had been shorter. Keeping a man locked up for a considerable time in a place where he cannot get drink, will not prevent him from taking it as soon as he is allowed to procure it for himself. There are, indeed, Inebriates' Homes, where special efforts are made to reform drunkards, and the best methods of accomplishing this object are, I believe, carefully studied. But they are not places of punishment, and the drunkard often goes to them voluntarily. The fact that some drunkards have been reformed in these institutions affords no reason for believing that a similar reform would be effected by sentencing drunkards to longer terms of imprisonment under ordinary conditions. Where, then, is the "fatuity" of sentencing habitual drunkards to short terms of imprisonment? Or how is it shown that longer terms of imprisonment would prove more effective? It is true, as already stated, that increased severity of punishment adds somewhat to the deterrent effect. But every humane man sees the necessity of not carrying this principle too far in practice. The difference in deterrent effect is often very slight, when the difference in the amount of suffering is considerable; and as long as the public is sufficiently protected by the system at present in force, we ought not to render it much severer for the sake of rendering it slightly more deterrent.

Moreover, very severe punishments bring with them other evils which are more than sufficient to neutralise their greater deterrent effect. As to reformatory effect, severity has none. The prisoner is more likely to regard



himself as an ill-treated and wronged man who is anxious to revenge his injuries, and feels under no obligation of goodwill towards his fellow-men who have treated him so badly. If virtue consists in benevolence towards others, it is certainly not to be promoted by solitude and seclusion. "Love thy neighbour as thyself" is a maxim not likely to commend itself to one who has practically no neighbours owing to the manner in which he has been "left severely alone"—with the exception of an occasional visit from a truculent superior whose room would be preferable to his company. Further, drunkenness and disorderliness are both susceptible of great variations in degree. A is often ready to swear that B was not drunk and disorderly, when C is equally ready to swear that he was so. At all events, B may be much worse on some occasions than others. These differences would be entirely overlooked if we adopted a sliding scale in accordance with the views of the Howard Association. A sentence of six months' imprisonment is on that system to be followed by a longer sentence, whether the first or the second offence be the more aggravated, and whether the prisoner has got drunk again immediately after his liberation, or has made an effort to keep sober and succeeded in doing so for two or three years. Moreover, as already hinted, those who have been engaged in the task of reclaiming drunkards have not found it to be a process of slow hammering out in which "the only essential element is time." The man often forms a sudden resolution and keeps it. Nor I may add does a pickpocket gradually become better by picking fewer pockets every year until at last he ceases to pick them at all. "Let him that stole, steal no more" is a better practical rule than "Let him that stole, steal less and less as he grows older." What we have to persuade the habitual thief to do (and try to assist him in doing) is to earn an honest living. "Rather let him labour, working with his hands." Appeal to the man's heart and his head, and let alone your "essential element of time." The man who places all his reliance on that element reminds me of the rustic waiting for the river to flow by him.

Further, I cannot reconcile the great reliance placed on this essential element of time with the proposed sliding-scale of punishment for repeated offences. A man has been imprisoned for three months for theft and comes back again speedily. Try six months, urges the Howard Association. What rational grounds are there for thinking that six months will satisfy the requirements of "the essential element of time"? Would it not be far better to give him five years at once, so as to make it probable that the second sentence would effect a reformation and prevent the appearance of the prisoner in the dock for the third time? Indeed, any such sliding-scale of six months for the next conviction, twelve for the following one, and then two years, four years, six years, eight years, ten years, &c., indicates pretty plainly that the legislator anticipates the frequent failure of the earlier sentences, owing, no doubt, to the disregard of this essential element; and if with each act of stealing the habit of stealing becomes stronger and more difficult to eradicate, the earlier sentences in this sliding-scale will promote the criminal disposition instead of repressing it, and twenty years' detention may ultimately prove insufficient to eradicate a criminal habit which could have been cured in five years at an early stage. Fatuous sentences should be avoided not only after the criminal habit has been fully formed, but while it is in the process of formation, and the earlier due prominence is given to the element of time (if it be really essential) the more perfect will be our system of penology.

However, when I turn to the arguments urged in favour of the adoption of this sliding-scale of sentences it strikes me that the object aimed at is to increase, not their *reformative*, but their *deterrent* effect. If, it is contended, the prisoner knows that for every new offence (that is proved) he will be punished more severely than on the last occasion, and this in a definite proportion which he can foresee, he is more likely to be *deterred* than under the present system, where the punishment for the tenth offence may be lighter than that inflicted for the first. In reply to this I may say, first, that when the habitual thief comes



back again and again, often receiving heavy sentences, it is pretty evident that the deterrent effect of imprisonment and penal servitude in his case is small, that the efficacy of fixed increments is likely to be confined within narrow limits, and that when a certain stage is reached the additional deterrent effect will become practically *nil*. An additional punishment to be inflicted at a remote date has a very different effect from a punishment that is to commence at once. The sliding-scale would, in fact, almost cease to be of any value as a deterrent before we could feel confident that we were dealing with a real habitual offender. Again, the successive offences will always differ in point of heinousness. There will be circumstances of aggravation and circumstances of extenuation. The present law meets this state of things by allowing a wide discretion to the judge, but the adoption of the sliding-scale would deprive the judge of this power, and if the prisoner had been previously convicted the judge would only have to inquire what sentence was pronounced last time, and then to act as a sentencing-machine—expressing, perhaps, his regret that he could not pass a lighter sentence or a heavier one, according to the circumstances of the case. The Howard Association would allow a departure from this hard-and-fast rule if on the second conviction the judge thought the first sentence manifestly excessive. But a sentence of six months' imprisonment might not be manifestly excessive in a case where another judge would think one month sufficient, and this original difference would be aggravated at every successive step of our machine-made system of sentencing.

Then, what if the previous conviction were overlooked, as from the numerous *aliases* of "professionals" it would very probably be? If it should come to light thereafter, is the prisoner to be re-tried and an addition made to his sentence? Supposing that a thief who has undergone three years' penal servitude makes a serious effort to turn over a new leaf and keeps out of the clutches of the law for some years, is a mechanical sentence of five years' penal servitude a satisfactory punishment for a subsequent theft committed under great

temptation? As to the rectification of such cases by the Home Office, the great merit claimed for this sliding-scale is its certitude. What becomes of this certitude if the Home Secretary is to be constantly modifying the provisions of the statute in individual cases? For certitude it is necessary that "the law should take its course, unless proofs of innocence should subsequently be discovered." The whole argument on the subject moreover seems to be based on a mistake as to what is meant by the statement that it is the certainty not the severity of punishment that deters. The certainty of punishment does not mean the certainty of undergoing a specified punishment, if caught. It means the certainty of undergoing *some* punishment, *i.e.*, the certainty of detection, conviction, and sentence. A certainty of undergoing five years' penal servitude—neither more or less—on the next conviction may not prove a better deterrent than a chance of six months' imprisonment on the one hand and of twenty years' penal servitude on the other. The discretion of the court in passing sentence is of great practical value, and would become still more valuable if the judges studied the principles and objects of State Punishment with greater care; and if this discretion is to be interfered with, it would be better to do so by reducing the *maximum* penalty in the case of the earlier convictions than by raising the *minimum* in the case of the subsequent ones.

The cruelty of these cumulative sentences, if the convict is to be imprisoned or kept in penal servitude under ordinary conditions, was evidently felt by the Committee of the Howard Association, and a suggestion is accordingly made that a milder form of imprisonment—more nearly approaching to detention in a reformatory—should be adopted when the duration of the cumulative sentence became very long. This proposal approaches nearly to Sir Robert Anderson's suggestion of locking the habituals up for life under more lenient terms of captivity, and Sir Robert Anderson would not object to a release by the Home Secretary when (if ever) it was thought that the habitual "lifer" had been completely reformed. But though, *cæteris paribus*, the deterrent effect of



a longer sentence is greater than that of a shorter one, it is otherwise when the longer imprisonment is conducted under more lenient conditions than the shorter. In such cases the prison may become a home for superannuated drunkards, pickpockets, burglars, and swindlers, in which they would be taken better care of than in the workhouse, at the cost of the public. A new conviction might thus become the resource of a criminal who wished to retire from business after his arduous labours. I doubt the efficacy of reformatories for adults. The young are more easily moulded to our wishes, though even with them the reformatory system sometimes fails. But if we are to send adults to reformatories we should do so before criminal habits have grown to such an extent that eradication under any system has become almost hopeless.

The cumulative system has, however, been tried to a certain extent in connection with conditional pardons. A man who has been liberated on a ticket-of-leave when his sentence had still three years to run, commits some offence (owing, perhaps, to the hardships arising from police supervision) for which the judge thinks three months' imprisonment a sufficient penalty, but the result of this conviction is that three years are added to the three months. I do not think the Howard Association can have considered the effect of cumulative sentences worked concurrently with our present ticket-of-leave system. I regard both as radically bad. At all events, reformation and deterrence are perfectly distinct. We cannot conclude that a man feels no malice because he is afraid to indulge that passion—for a time. What is required to increase the deterrent effect often lessens the chance of reformation, and *vice versâ*. In these days we would hardly apply to female prisoners the couplet:—

"A woman, a spaniel, and a walnut tree  
The more they're beat, the better they be."

But this (expressed in more general terms) is the creed of those who see no difference between reformation and deterrence—between the man who does right from choice and the

man who abstains from wrong for fear of punishment. If the Howard Association would distinguish clearly between these two elements, and state which of them it was seeking to promote in each instance, we would hear less about fatuous sentences, cumulative sentences, and the essential element of time.

I am glad to find in this Report no advocacy of the wholesale whipping of juvenile offenders, though an Association formed for the purposes for which the Howard Association was formed ought hardly to be satisfied with stating that opinions on the subject differ, and quoting two or three unreasoned opinions of unnamed persons, which, at least in their present form, do not possess the slightest value. A collection of statistics is almost always of use. A mere collection of opinions seldom possesses any value, and what we find here is not even a collection.

The Association seems to me to have utterly failed : (1) in its plea for the cellular system ; (2) in its contention that long sentences are necessary for any real reform ; and (3) in its contention that cumulative sentences should be imposed in every case where there have been two or more convictions for the same kind of crime. Short sentences are not fatuous. Their merits, as compared with long sentences, must be decided on very different grounds from those to be found in this Report. If we exclude the crime of "drunk and disorderly," it will be found that with almost all habitual criminals long sentences have been tried as well as short ones, and that both have equally failed. In some instances moreover the long sentences were tried first. As a test of relative efficacy we should not look to the number of reconvictions but to the time which elapsed between liberation and reconviction. Have we any evidence that in this respect long sentences have proved superior to short ones ?

We can secure the public against the depredations of any particular thief by hanging him or locking him up for life. We could to a large extent do so by putting out his eyes or cutting off his right hand. But are our legislators or the administrators of justice bound to render every law-breaker



harmless, irrespective of the cost either to the individual or to the community? The Legislature is bound to protect the public against crime, but not to protect the public against the possible future depredations of every man who has been three or four times convicted of some petty theft. It may be better to put up with the depredations of John Thompson, which the ordinary law fails to restrain, than to introduce new, stringent and cruel provisions for the sole purpose of snuffing out Thompson and a few other irreclaimables—or rather undeterrables—without thereby making any important change in the statistics of crime. Means might no doubt be devised for getting rid of Thompson & Co., but the remedy might be worse than the disease. It is not necessary for us to kill every fly that sometimes annoys us by its buzzing. It is sufficient to take steps to prevent the flies from increasing too rapidly and becoming a veritable nuisance. Protection against crime does not involve or imply protection against every individual criminal. The chief value of our punishments does not consist in their effect on the prisoner but in their effect on other people. To read some of the articles on the subject one might imagine that a criminal belonged to a totally different race from ordinary mortals, and that the great object to be kept in view was to exterminate the race of criminals as we would exterminate wolves or bears. But criminals are men and women like ourselves. Many of us would have become criminals if exposed to the same temptations. Criminals and persons utterly averse to crime are often members of the same family. Persons convicted of crimes when young have often become good and useful citizens at mature age, and men who have lived to mature age with a spotless reputation have sometimes ended their career by committing serious offences. No criminal is irreclaimable, and no man is absolutely secured against the risk of committing a crime under strong temptation. St. Peter may not have committed perjury as defined by English law, but he swore falsely notwithstanding. Was he a criminal? In fact, we use the word "criminal" in two

distinct senses: (1) a man who has committed a crime, and (2) a man who is in the habit of committing crimes. We are very apt to ascribe to the former the characteristics of the latter. But even the man who is in the habit of committing crimes may not be very different from ourselves; and the story of his life may afford an explanation of his misdeeds without assuming the existence of any superhuman wickedness on his part.

This fact the Howard Association fully admits. It deals with prevention as well as with cure, and in its preventive measures it assumes that no man is hopelessly bad—at least, when first brought into the world. But I think the Association is too much impressed with the idea that reformation is a mechanical process, and that with proper machinery we can turn a criminal into a law-abiding citizen, provided that we keep the machine going for a sufficient length of time. It sometimes seems to recommend indeterminate sentences under which the prisoner is to be detained in prison *until* he reforms—as if that event was sure to occur sooner or later. But one man cannot change another man's heart. Still less can he devise a system which will infallibly do so. And when a man has wandered from the right path there is a better chance of leading than of driving him back to it. If our only object was to reform a man, it would be best not to punish him at all. We punish him because we want to deter him and to deter others; but for this purpose I believe moderate sentences will, on the whole, answer quite as well as very long ones, whether the latter are adopted at once or arrived at by a slow process of accumulation. And if, after one failure, we were convinced that nothing was needed to effect a reform except a greater length of time, it seems clear that instead of making additions to the sentence so small as almost to insure failure, we should at once make an addition large enough to afford a good prospect of success. Why should we amputate a man's leg by inches, performing perhaps a dozen successive operations, when a single operation higher up would afford vastly better chances of recovery?

APPELLANT.

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APPENDIX.

## OUR DEBT TO THE QUADRUPED.

MAN is a comparatively feeble animal. The great and far-reaching changes which he has made in the world have been wrought by energies drawn chiefly from sources outside of himself. Man has *directed* more than he has actually *done* things. Civilization is the result, not of human strength but of human sagacity. Man has harnessed the herds that roamed about him and forced them to groan for him, and the winds and waves he has made into menials. A large part of the energy of civilization has been furnished and is still furnished by the great four-footed races. Civilization may almost be said to be borne, and to have been from its beginning borne, on the powerful and patient backs of the horse, the ox, the mule, the elephant, the camel, the donkey, and the dog. The superior strength and mobility of these races directed by the superior intelligence of man have enabled man to perform tasks and carry out enterprises he never could have dreamed of undertaking single-handed. Without horses or other individuals able and willing to wield the great implements, agriculture, the most basic of human industries, would be practically impossible. Where man now tills acres, he could, unaided, scarce cultivate ares. It has been said that one of the reasons why there never arose, and never could have arisen, any great civilization in the western hemisphere prior to the coming of Europeans is because there lived there no great quadruped races whose



energies the aborigines could seize upon and use. The horse is a native of North America, fossil remains of all stages of his development being found in the regions about the head waters of the Missouri River. Yet, strange as it is, there were no horses in America when Caucasians came. Whether this explanation of the absence of civilization in America is true or not, it may be said with certainty that the growth of human industry would have been very different, and the history of civilization correspondingly less splendid, if human enterprises had not in every age of the world had behind and beneath them the powerful shoulders of the ungulate.

This is the first fact.

The second fact is that these races associated with man are not treated by him with a consideration at all commensurate with the services they render. He must have a hard heart or a strange understanding who can look upon the lot of man's menials and not feel that wrongs—not petty wrongs, but cruel, irreparable wrongs—wrongs that would darken the darkest pages of human history—are unmercifully heaped upon them. The horse, the camel, the donkey, and the ox have pretty nearly made man what he is. They have contributed and continue to contribute to human enjoyment and civilization to an extent that can never be estimated. In return for all this, they are, as a rule, regularly and systematically robbed. Their lives are drained of everything that makes life worth living, and into them are poured instead all the anguish of prolonged crucifixion. They are overloaded and overworked, poorly sheltered, beaten without cause, neglected, insulted, starved, maimed, misunderstood, deprived of leisure and liberty, and doomed to a round of grinding wretchedness and toil such as only machines with no desire for happiness and no capacity for despair would ever voluntarily enter upon. No wonder the fire soon dies out of their faces. No wonder their forms become wilted and apathetic. No wonder their comely countenances grow drawn and leathery, and out of their eyes streams the stolid solemnity that darkens the faces of the doomed.

Man looks upon and treats those co-operating with him in the labour of life as mere *means* to his own selfish ends. What little he allows to them he allows, not freely, as a grateful beneficiary would allow it, but grudgingly and in a spirit of pure selfishness. If man feeds and houses those who help him, he does not do so because he wishes to render them comfortable and happy, or because he really desires to compensate them for services rendered. Not at all. Man is not that kind of an animal. What man does, he does primarily for *himself*, and for no one else. If it were necessary for him to pay more in order to have the services of those who work for him, he would, I presume, rather than do without these services, pay the additional price. But if there were any way in which he could obtain from the non-human races all the benefits he obtains from them to-day without giving to them in return anything whatever, the facts justify the conclusion that he would be perfectly willing to do so, even though it were at the cost of infinite pain and sacrifice to them. This is a pretty hard thing to say about one who so actively advertises himself as the "paragon of creation." But the human race is so prone to diabolical deeds, deeds that are enough to make any man with a single lobe of thinking-matter and a heart as big as a pea feel ashamed of his species, that this seems to be a perfectly justifiable indictment. As a matter of fact, man is doing this very thing now wherever he is able to do so. He takes from those around him anything they have that will be of any benefit whatever to him, and he takes it always with the least inconvenience to himself, and with a perfectly infernal unconcern for the suffering and death it causes to those whom he levies upon.

Man feeds and shelters those who aid and serve him, if he does so at all, for the same reason that he sharpens and shelters his machines—simply to make them more effective and lasting. They are all to him mere implements—things to be squeezed, like lemons—nothing more. When they are no longer able to serve him—when he has extracted from them every benefit he is able to extract—he unfeelingly knocks them on the head or casts them out, like worn-out



garments, to rot. The stars of heaven never look down on a more pitiful sight than that of horses, after having drudged faithfully all their days in the service of their lords, cast out in their helpless old age to starve. One would suppose that man, when he beholds the wrecks he has completed and realizes that he is the guilty author of them all, would be filled with sorrow and remorse. But he is not. He is too earnest a ruffian. His highest deliverance, as he turns the battered ruins of his victims toward the "bone-yard," is likely to be a jest, and his keenest regret is, not that they have suffered or that they are ruined, but that now, since they can no longer serve him, they are unfit for leather. The utter lack of parity between the services and sacrifices which the menials of men are compelled to render and undergo and the pittance of recompense which they receive in return is in this world matched only by the hellish injustices heaped by inhuman capitalists upon those who serve them.

Now, it is not necessary that the relation existing between the human and associated species shall terminate, in order that conditions may be made to conform with civilized ideals. It is not even necessary that this relation be less beneficial to man—merely that it be made more acceptable to all concerned—made to be *two-sided* instead of *one*—made to harmonize with a sane and enlightened sense of justice. We preach so much about justice and humanity, and seemingly think so much of these sentiments. I presume it would make a library in size something like that which the reckless Omar fed to the flames at the mouth of the Nile in the early days of Saracenic aggression, if all the complimentary things men say and write every year about justice and humanity were made into books and gathered together in one place. Now it is simply insisted that we should not allow these noble promptings of ours to end in the vapoury and more or less useless phenomena of verbalisation, but should put into actual operation in our dealings with those toward whom we are under the greatest obligation the exalted virtues we are all the time admiring and about which we are all the time talking.

This is the ideal: Man takes these races from the plains and jungles where they are exposed to hunger and thirst and cold, harassed by enemies, and victimised by their own child-like intelligence. He associates them with himself. He gives to them security, regular food, shelter, intellectual surroundings, and a home. They give to man the benefits of their superior strength and speed, bearing man and his burdens, and supplementing in a thousand ways the inadequate energies of their mentor. These beings, these wards of man, are really children—great, big, strong, healthy, energetic boys and girls—capable of an incredible amount of work and of genuine fellowship and affection, but much better off when associated with some one who will look after them and afford to them for the emergencies of life a higher degree of wisdom and generalisation than they possess. Man gives to them the advantage of his peculiar cunning and enterprise in exchange for power, endurance, and mobility. Both are benefited. Both are better off than they would be if they acted independently, or were alone in the world. Each contributes to the fullest life and highest development of the other. Man treats these affiliating races, not as objects of pillage, but as beings with rights and feelings, and capabilities of happiness and misery, like himself. He is kind and considerate toward them, and ever mindful of how he may gladden their necessarily monotonous lives. He gives them plenty to eat, comfortable dwellings, days in which to rest, an education, and a home. He does not ill treat them until they are so soured they have to be muzzled to keep them from snapping at passers-by. He does not cut off their pretty tails nor rein up their heads into horrible positions in the interests of an illiterate vanity. He does not go armed with a stick or a whip with which to attack them whenever he does not feel well, or when things go wrong in his own household. He talks to them. In short, man treats these beings at all times as his best friends, and his most faithful and valuable allies. They, on the other hand, come more and more to regard man as their true guide and benefactor. They learn to trust and love him, and the great, generous-hearted



creatures are willing to wear out their very skeletons in his service.

This is the ideal. This is reciprocity, which is the only legitimate relation to exist among any associated beings. It is the avoiding of that which we do not like when done to ourselves. It is simple justice. It is the only conduct fit for a race that has any right whatever to imagine itself civilized. Four-footed people, like bipeds, are not less serviceable—they are more so—as *somebodies* than as *things*.

J. HOWARD MOORE.

## THE CALUMNIATED CAT.

SOMEWHERE lately I read that "Society seems likely to start the cult of the cat." I should like to remark that in its true sense this is not to be done by cat-shows, nor by pride in the "race" or the beauty of certain personal pets. The true "cult" lies in consideration whether we make the most or the best of a graceful, pretty, useful creature who lives in nearly every house, and who in large cities, is the only animal—or at least the first one—by whom children come into relation with the animal world.

The cat is one of the sufferers by that vulgar habit of generalization—which attributes to a whole race—be it animal or human—qualities or lack of qualities which may happen to belong to a few individuals, or which may be due, not to nature at all, but to prevalent conditions. Most people think that the cat has no power of attachment—and that they show her ample kindness if they provide her with plenty of good food, a clean bed, and at best, an occasional obscure corner on the hearth-rug. "A cat cares for the house, not for the people," it is said, and the adage is supposed to be proved by stories of cats, who, carried away with the goods, when the family removed, have returned to their former homes—sometimes travelling for miles—and have settled down contentedly with the strange tenants, if those proved to be not unkindly.

Need this prove lack of power of attachment? It must first be proved that the removing family had ever given their

cat opportunity or reason to be attached to them ! It may well be that, according to her judgment, it was the house itself to which she had best reason to be attached. She had been safe there, and fed and warmed. Why should she not gratefully regard it as her friend, rather than those beings of whose presence she was chiefly aware when their skirts brushed roughly over her, or when they rudely swept her from the cushioned stool or seat they wanted for themselves ? If *the* house remained the same—a place of safety, food and fire, does it not rather argue the cat's power of faithfulness that at some risk she prefers to return to this proved, though undemonstrative friend, instead of trying a new home along with people who were practically strangers to her ?

On the other hand, if here and there (these instances are few) a really friendly cat refuses to accept a strange residence, is it not generally the case that it does not return to its former house, but disappears altogether ? Is not this often to be explained by the fact that just because this cat and her owners were so friendly, the latter forgot that the cat never ceases to be one of the most nervous of creatures—that no matter how tame and reassured she may be in general, some wholly unexpected sight or sound may in a moment upset her equilibrium and send her forth in wild affright on some long flight which nobody may regret more bitterly than herself the moment the panic is over.

My own belief, born of much experience, is that cats who have been made the friends of their owners, if wisely removed, never give the least sign of dislike to their new abode, or show any disposition to leave it.

I have known a cat brought on a long sea-voyage. He travelled in a parrot's cage, and when the fog-horn was blown he judged it a fit moment to express his own feelings in their utmost strength. He was taken to a house utterly different from what he had known before—but his own mistress opened the door of his cage and offered him a bowl of milk, just as she had done at home. He went carefully over the house, from basement to attic, commented by one or two mews, and settled down without any more trouble. Perhaps it



may be said that in this instance he had gone so far from home that return was impossible. But, in the course of the next few years, he made two more removes in the same town, to houses within easy distance of each other. Each time he made the same careful survey of the new premises and then settled, content. He was by no means a demonstrative animal, did not seek to be petted, and accepted caresses with a rather bored dignity. But did he see anybody weeping or in manifest trouble, even if but a casual visitor, straightway he gave them his kindest attention. (I had noticed the same trait before, in a little Maltese dog, the pet of Mrs. S. C. Hall). In the last house where this pussy lived, he had the habit of occasionally visiting his mistress's bedroom on the third floor. In the afternoon of the day of his death, he paid this visit. He had mounted the stairs with exceeding difficulty, and he had to be carried down, moaning all the while.

So far from this being an exceptional case, it has in my experience been invariable. Once, when I was living in the main street of a large city, we took in a stray female cat whom we found seated on our door step. She, too, was an animal who did not care to be petted, had her own business (she was a splendid mouser), and went her own ways. But when a few months after her arrival, we removed to another house, only a few doors off; she went with us, and though she was left quite untrammelled, she seemed not to give a single thought to the old house.

Not many months ago, four cats, all old family friends, removed with their mistress. This happened to be the removal typical of most of the stories told of the cats who "return." That is to say, the new house was about three miles from the old one, and the way between was tolerably direct. The cats travelled in the evening, in baskets, put in the same conveyance. When they alighted, they showed little dismay. They greeted each other, took notice of a few pieces of furniture with which they had been familiar in the old house, had supper, and went to rest. Next morning they were made free of the garden. Escape from it was easy on every



side. Not one of them attempted it. Yet they soon explored the surrounding region, one of them often accompanying members of the family for evening walks, not invariably in quiet lanes, but even down a highway where there are many passers-by.

Instances prove that the nervous organisation of the cat must be considered. Possible accidents and alarms must be guarded against. A lady I knew carried her cat on her knee in a cab driving from one house to another. No *contretemps* occurred, and the cat settled down safely. But such security cannot be reckoned on. Other friends of mine when removing took with them a very pet cat on whose tameness and docility they felt quite able to rely. So one of the daughters carried him in her arms. Part of their way lay on a road above a railway line, and at the critical moment, an express dashed by, with terrific engine shriek. The poor cat struggled madly out of the lady's grasp, dashed through a hedge—and was never seen again.

Cats certainly attach themselves to individuals, and I know one striking instance in which the persistent and courteous attentions of a cat overcame a dislike which had been expressed for its kind, and so turned an enemy of its race into a friend. Dislike or contempt for cats is often but the result of sheer ignorance, running on the lines of vulgar prejudice.

A cat, when removed, should be put into a basket, and travel in company with one whose friendly voice will reassure her by the way. The basket should be opened among friends in a quiet room. A meal should be speedily given her; thus, she will realize stability—that she is really “at home.”

In families, where everybody is kind to the cat or cats, each will yet attach itself more distinctly to some chosen individual. I remember that my father always won their love. A beautiful tabby, “Grissie,” regularly accompanied the servant, who gave his door the morning knock, waited on the mat till he came out, and followed him as he went about his early avocations. After his death she was scarcely ever seen upstairs. I have repeatedly noticed that cats when

in a new domicile—speedily—with barely a day's delay—discover the sleeping-room of their special favourites, and are to be found waiting at their doors. I knew one cat who attached himself to a youth whose daily duty lay in an upstairs study. He went there with him, and if, after breakfast, he was inclined to loiter in the dining-room, the cat went outside mewing, ascended a few stairs, and then came mewing back—a very vigilant mentor.

Cats also show attachments among each other—a trait that can only be discovered where several are kept. Among the four cats before mentioned, two yellow ones are great “chums.” They are alike only in colour, their temperaments being very different. One is old, the other young. The elder is shy and timid, is always ready to give up his place at hearth or dish; in his earlier days even shrank from being touched. The other courts notice, wears the alert, saucy expression of a London child, is self assertive, and of very jealous temper. These are the friends. Every day with a curious little cry—a very distinctive “call”—they summon each other to a genuine boxing match. Each has his own peculiar tactics in the game, and it never ends in warfare. The other two cats, with whom they are on sound neighbourly terms, have never once joined in the wrestle. Oddly enough, these yellow cats are both devoted to a black and tan terrier bitch, who accepts their caresses with the utmost good nature, will share her dish and bed with them, and frequently licks them fondly.

It is doubtful whether there is any real “race animosity” between dogs and cats. In those countries such as Greece, where sheep do not run from dogs, neither do the cats. Only the other day I introduced a strange kitten to my dog, a terrier. My dog is used to cats—the kitten had come from a house where dogs are kept—the two made friends at once! From time immemorial, dogs have been trained to chase and worry cats. The acquired quality descends, but that it is not rooted in nature, is proved when it so easily yields to training and environment adverse to it.

Cats are unfortunately sometimes the subject of what

people call an "invincible antipathy"—a feeling of horror and dislike which they cannot explain. Now all sensations not justified by reason are surely either symptoms of "decadence," or of a crying want of sound early training. Nearly every child has a strong antipathy against something. If encouraged and yielded to, this grows and strengthens, if wisely combated, it disappears—is often entirely forgotten. If such antipathies cannot be overcome, they signify some congenital weakness which, so far as it goes, separates us from the healthy average of our fellow-creatures. • If this were distinctly understood, probably more energy would be put forth in the conquest, or at least the control, of such antipathies. They are too apt to be vaunted as "characteristic traits," calculated to clothe their possessor with "interest." Possibly: but it is a pathological interest! A full sense of this would give the strongest motive for keeping such "antipathies" in abeyance, and once kept in abeyance they would tend to vanish, if not to be transformed into kindly feeling. Parents cannot give their children a better heritage than a constitution free from these puerilities, and when they are unfortunately found to exist, they should be neither laughed at, punished, nor encouraged, but rather met by the wise and sympathetic training which any other infirmity would receive, and which should accustom the child to feel that the particular form of animate life which it "does not like," must, for that very reason, be the form towards which it must seek most strictly to do justice and to show mercy.

ISABELLA FYVIE MAYO.



## THE KING AGAINST JOHN JOHNSON: IN APPEAL.

WHAT is a criminal trial like? Half the argument on the question of the establishment or not of a Court of Criminal Appeal is wasted breath, for want of the proper answer. Very few of us really know what takes place at courts of assize—fewer know the true bearings of what does happen.

The administration of criminal justice, Mr. Justice Mathew is reported to have said, is a century behind the administration of civil justice, in England. The spectator of a trial has heard of the majesty of the law, of the dignity and solemnity of judicial proceedings, of the anxious care with which the interests of the accused are protected. Such a spectator looks, in hushed entrancement, for an impressive demonstration of the acute logic of counsel, the anxious deliberations of the jury, and the stately surroundings of a great public function. He anticipates the throng of awed and interested citizens, attending the solemnity. He imagines, in dark foreboding, the thrill with which the assembly will receive the despatch of a free citizen to imprisonment or slavery.

He finds a large room; probably dingy, more than probably mean, into an obscure corner of which he will be admitted, as it were on sufferance. Police, looking weirdly improper without helmets, dominate the scene, *vice* the majesty of justice, superannuated. Into a dusty space, an

oasis in a desert of grained deal, there is hustled by two or three warders a dusty figure. A pleasant personage in a wig rises from beneath the judge, and makes a few perfunctory observations; during which a vacant-looking row of men, whom our spectator gradually realises, with a sad shock, to be a British jury, shuffle about, displaying a justified but uneasy consciousness that they are not wholly familiar with the proceedings.

As the ugly school-room clock ticks on, the dull form drags along its course. Witnesses appear in the box, are exhorted to speak up, and duly disappear. Gentlemen in wigs of more or less blanched appearance, talk to the jury in a conversational manner, and the judge politely turns to them and adds a few remarks. Up to now, the proceedings might have been a meeting of bank directors, for all the awfulness that attends them. And now that the crisis has come, there is no change in their character. The shuffling front row of jurymen twist round to the bemused back row. For a minute or two there is silence, while the pleasant person in the wig scratches with a quill. A sudden movement restores the rows to settled propriety. The foreman stands up, and answers the pleasant official's set inquiry.

The word is spoken which seals the dusty figure's fate. Nobody particularly minds. A cool remark or two from the judge, another shuffle in the dock, and the wearisome business begins afresh. Reporters crack small jokes, *sotto voce*; the sheriff scribbles notes, and wears the expression of a state captive, proudly stoical; here and there a lawyer opens an evening paper.

Such is the course of ninety-nine out of a hundred criminal trials. It is like ordering the milk. The *cause célèbre*, to witness which the neighbourhood are admitted to favoured seats by ticket—which is reported (as "Ghastly Glee at Gigglesbury") in the London Press—which has, perhaps, an educated and respected man as its villain, or which shows up the domestic details of a family's private life—this is the very rare exception. Just as the general rule holds good, that the newspaper gives us the abnormal facts of life, so it



is true that it gives us the abnormal criminal trials, and not the commonplace ones.

There seem to be two reasons for this astonishing dulness of criminal trials. The first, that we have no sympathy with the law—the second, that we do not care about the criminal.

It needs very little demonstration to prove that English people, as a whole, have not the least affection for the criminal law. Does it seem absurd to suppose that they should? It is assumed to be their protector and guardian; instituted for their benefit, and accomplishing their ends. Why should they look upon it with a certain jealousy and suspicion? Why should the popular sympathy—and not only the mob's sympathy, but, in a greater degree, that of the cultivated classes—be with the accused and the condemned, rather than with the law which is their judge? Why should people prefer, on the whole, to leave criminal trials severely alone? Why are we never anxious, like the Greeks, to participate in the administration of justice?

Simply because of our prison-system, and the evil traditions of a harsh interpretation of the law, which has come down to us as a *damnosa hereditas* from the detestable eighteenth century. Law was savagely administered then—we have never got reconciled to it since. As the atrocities of Mary I. created a hatred of Romanism, which lives and survives to this day and sustains Mr. Kensit, so the unnatural severity of the bench a hundred years ago alienated the sympathies of the nation from the law the judges dealt out. The rules of law have altered since then; the spirit of its administration has been revolutionized—leniency and fairness are entirely in the ascendant; but there remains one fatal flaw in the machine, which entirely prevents the citizen from taking a pride in his country's justice. This is our prison-system. A flaw in the machine—because it is a purely mechanical defect. We have practically only one penalty—imprisonment: and with that one imperfect, grating tool, we ask our judges to do their work.



How is it possible that any code of laws, however beneficent, could work, with satisfaction to reasonable (one need not say to humane) creatures, when one crushing penalty is all that it has at its disposal? As well expect a carpenter to make a chest with a chisel from the raw logs. It is true that slight differences of treatment exist between the first class prisoner and the ordinary criminal—between the convicted prisoner and the convict at the quarries. These are welcome distinctions, as indicating a tendency—but they are very little things in themselves. They may even be mischievous—inducing judges and magistrates to impose first-class imprisonment, as a light penalty. Imprisonment, in whatever class, and of whatever duration, means jail. It means submission to autocratic governors and warders, who are not, as a class, selected for their delicate consideration for the feelings of others. It means abject discredit. It may easily mean utter loss of self-respect.

It has such unsavoury associations that imprisonment under perfectly honourable conditions has come to be looked upon as something of a degradation. A soldier taken in war—a debtor who is simply detained as a kind of security—a suitor who is committed by way of inducing him to follow a particular course of conduct—are not supposed to be discredited by such treatment. Yet the mere name of prison is enough to degrade them to a certain extent.

Prison reform is accordingly a clamant necessity. And it must be supplemented by the creation of new institutions altogether, called by some such name as will completely differentiate them from jails in the popular mind, presided over by officials of an entirely different stamp from the prison warder, and of which the inmates shall, as a matter of course, be treated with courtesy, such as an aristocratic prisoner would meet with in Holloway, or a State prisoner in the Clock Tower. Midway between these and prisons would come a different class of institution, in which the conditions would be less favourable than the one and more so than the other—not alone in little matters such as eating and exercise, but in the whole theory of the relations between

jailors and captives. It is really this that matters. The moral element is everything.

"National Homes," one might style the first; "State Homes" might be a better name in the eyes of those who love the universal Grandmother. "Fortresses" would perhaps do for the second. And "residence" and "arrest," respectively, would be substituted for "imprisonment." Such a gradation of institutions, worked in accordance with the theory here developed, would go far towards preventing law from being a thing which cannot but be harsh in the administration of it.

Secondly, we do not care about the criminal. If the jury did—would they confer, twisting about in gymnastic attitudes over the wooden partition of their box, while a patient court gravely regards their antics? Would they not always retire and discuss the matter carefully and at ease, as they do in important cases? The truth is, that they, and most people in court, take it for granted that the shabby figure is one which may quite as well be inside jail as out: only it is customary to employ a little decent formality in the matter. Juries often find an accused "not guilty," certainly: that is because they do not think the shabby figure best inside, but are impartial. They do not want to send him to prison, but they are not going to take any trouble over him. They have been brought from their homes and their business, across half a county. They are commonplace, narrow-minded peasants, if you will, without exalted ideals of unremunerated duty. They know that they will not get a penny for their loss of time, business and cash. They are not received with any honour—their accommodation is of the scantiest and hardest. It may be fair, perhaps, to them to bring them up as judges: a Briton's civic burdens are not very heavy—but is it fair to the prisoner?

We do not care about him before he is tried. Unless he can get bail, we shut him up in a confinement whose nature is actually such that judges uniformly take it into consideration, in fixing the length of sentences. If he is ultimately acquitted, he may, we argue, bless his lucky stars that he

has been so fortunate, and we give him not a shilling of compensation. If he cannot pay a solicitor to "get up" his case for him, he may go into court with it *not* "got up." Only a lawyer knows what that means. It means that an unprepared amateur is confronted with prepared professionals at the keenest of all games. At the last moment, he may have a barrister to conduct his case in court. But the case has not been "got up"; the barrister must make bricks without straw. Such a defence is only one *pour rire*, it may succeed, and it may collapse, and nobody be much the worse.

We do not care about him during the trial. He is forced into the attitude of a condemned person from the beginning. So much does this prejudice him that it had to be expressly enacted by the recent statute which permits the accused to give evidence, that it should not be given from the ill-omened dock.

Only in extreme cases do we graciously concede him the privilege of a seat. Warders to right of him, P.C.'s in front of him, sergeants to left of him, inevitably suggest that he is not a blameless character. On the whole, there is some justification in the aspect of things for the mental attitude of the jurymen of legend. Said an acquaintance, after an exhausting day at the assizes: "I suppose you attached great weight to that incident of the pencil in the house-breaking case?"

He replied: "No! I take no 'count of them things. I says, when I sees a feller in the dock—'You must ha' done something, or you wouldn't be there!'—and I brings 'em all in Guilty."

We do not care about him after the trial. We provide him with hardly any method of appeal. We shut the trap-door down and ejaculate, "Thank goodness, we're done with *him*!" But what, then, is an appeal? A good deal of misconception exists on this point.

The popular idea of an appeal is that it is a re-hearing of the case, before more experienced, more numerous or more competent judges, or else gone through with greater care



and deliberation than is possible when a trial is disposed of among the ordinary mass of clear cases.

Such an idea is fundamentally opposed to the English theory of trial.

Neither in civil nor in criminal cases is the idea of a re-trial anything but absolutely repugnant to the spirit of English legal procedure. The lay observer sees only the outside of things. He sees—or more likely, reads of—the final product—the proceedings in court. He does not see why they should not be repeated, again and again if necessary. He knows nothing of all the preliminary processes which lead up to this dramatic sequel, and which it once for all seals and crowns. You might as well expect a bud to flower five or six times in one season, as a trial to be repeated. The case is tried, and there is an end of it. The underlying idea of an English trial is that each side, once for all, shall produce its best case and stand or fall by it. The notion is, that if it were otherwise, an astute litigant would take advantage of the disclosure of his opponent's case at the trial, and would immediately frame a nice little countervailing case, to be sprung on him when the case was re-tried. Or, he could, at least, have a good opportunity of picking holes in the case so disclosed. Litigation involves a keen contest of wits: in the process of getting a case ready for trial, it is in the first degree essential to give the adversary no more information than you can help. But at the trial, this very disclosure which has hitherto been so carefully avoided takes place. At a re-trial, your adversary knows your hand. At the first trial, the truth comes out, and he is for the moment powerless to meet it. Some fact is proved, which is clearly inconsistent with his story, and which he never suspected would be elicited. The verdict passes against him. But, if there can be a re-trial, he occupies all his energies in the interval in strengthening his position in the quarter where his weakness has been shown: and you start again on approximately equal terms.

Consequently, the law looks with extreme disfavour on re-hearings. Sometimes it is forced to admit them. If its

extremely artificial and pedantic rules of evidence have been infringed—if damages far too much or little have been given—if the jury have tossed up for a verdict, or have been told “what the soldier said”—it has no resource but to do so, and a new trial must be granted. But the mere allegation that a verdict was “against the weight of the evidence,” although technically ground for a new trial in civil matters, is very seldom admitted. The verdict of a jury is regarded with the utmost tenderness; they heard the witnesses, they watched their behaviour—they best know what weight to attach to their statements. In the time of Viscount Esher, it was almost impossible to obtain a new trial in such cases; and the attempt is not often made even now; still less often is it successful. It is in the highest degree unlikely that a new trial would ever be ordered on such a ground in a criminal case.

Besides ordering a new trial in a civil cause, the Court of Appeal has, technically, power to admit fresh evidence, and to decide the question itself, if it sees its way clear, instead. But, wherever the dispute is one of fact, it is excessively rare to find either of these powers exercised. The Court of Appeal will only in the most extreme cases reverse the decision of a jury, or even of a judge, on a matter of fact. And as for admitting fresh evidence, such a course, at the most, amounts to permission to file an affidavit or perhaps to call a witness. But the phenomenon of a witness being called, and actually cross-examined, in the Appeal Court, is enough to make the imagination quail, and to summon up visions of phoenixes and wyverns.

There is never anything remotely resembling a fresh trial in the Court of Appeal. If the casual spectator goes in, he may find an individual laboriously wading through pages and pages of shorthand notes, reporting the proceedings in the court below. But—here is the important point—it is on the evidence given in those original proceedings that the court will have to decide. It may, under very extraordinary circumstances, supplement it. But it will never dream of disregarding it except for reference, and beginning afresh.

In short, the Court of Appeal is a tribunal for the decision of questions of law. Its jurisdiction in matters of fact, limited as it is, came to it as the successor of the old Chancery Appeal Court. Chancery cases were all decided, in old days, on affidavit evidence. That is, a litigant's solicitors prepared statements of the facts on which he relied, and had them sworn to, and sent up to London. The judge read these written affidavits, and came to his conclusions on them. Naturally, the appeal judges were just as capable of doing this as he was. But in common-law actions, where the witnesses personally attended and gave their evidence, there was no such equality between the tribunal which heard them and any superior authority. Now that there is one Court of Appeal for all kinds of cases, and most Chancery cases are tried as common-law ones are, the Appeal Court retains a technical jurisdiction over them all, in matters of fact. But, for most purposes, it is technical and that is all.

In appeals on matters of law, the court finds its real province. But an accused person who has only an error of law to complain of has already a fairly satisfactory tribunal, in the Court for Crown Cases Reserved. If there is any substantial merit whatever in his point, no judge will refuse to reserve a case—the only objection being that, by the time it is disposed of, the prisoner may have worked out the sentence, unless its execution has been respited. The court is a satisfactory one in most ways: five judges must sit, and the chief justice be one of them, which provisions secure a competent bench. Unkind things have been said, five or six years ago, about its summary Saturday morning methods; and the judgments of the puisne judges are apt to consist of the words, "I concur;" but the court is nevertheless free from any objection which would not equally apply to a Criminal Appeal Court.

What the lay advocates of a Court of Criminal Appeal, then, have to do, is to realise:—

(1) That, for matters of law, there is one already.

(2) That, for matters of fact, it will not be of the very slightest use setting up a tribunal in any way analogous to



the Civil Court of Appeal: they will have to revolutionise the English method of trial.

Why should not they? The arguments by which the present system is sustained are based on the assumption that justice must be sought by chicanery and sharp practice. It is said that the first trial shows one's hand—that an unscrupulous adversary will manufacture evidence to meet one's case so disclosed, and that an astute one, without being unscrupulous, will not neglect the opportunity of repairing the gaps in his narrative—that a rogue will gain confidence by repeating his story—that trials will resolve themselves into a cunning reserve of trump cards for the ultimate appeals.

There are answers to these arguments. But the truth is, the root idea of trial, as we have it, is entirely a mistaken one. That idea is the public display, by each party, before impartial strangers, of his best case. It has arisen, not from a logical choice, but because of historical reasons. Historically, the jury are the friends and neighbours of the parties. Pollock and Maitland\* say—"To form a petty assize or an ordinary jury, twelve free and lawful men of *the neighbourhood* are summoned directly by the sheriff. In the case of a jury summoned after there has been pleading, he is bidden to summon those through whom the truth of the matter may be best known"—*per quos rei veritas melius sciatur*. And when selected, they had a fortnight or so to inform themselves in—by reading the morning papers, or resorting to their mediæval equivalent, if they pleased. The common prayer of counsel to the jury—"Gentlemen, do dismiss from your minds all you may have heard about this case outside!"—would have been ridiculous then. The more a jury knew about the parties and the matter (and not the less), the better. The practice of bringing into court witnesses whose testimony could, unlike the jury's information, be sifted, seems to have been the main factor in changing the jury's functions: and for these historical reasons, we have now a

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\* *History of English Law*, II., 619.

system of trial such as has above been described, consisting essentially in a critical conflict before an uninformed tribunal.

But there is another system of trial, which the greatest English authority on criminal law has declared to be, beyond question, on all grounds superior. This is the inquisitorial.

There is no need to be frightened by the word. The essential feature of the inquisitorial system simply is, that instead of public justice sitting in abstract exaltation in a court, and blindly trying to decide between competing plausible stories, she descends into the arena from the beginning, tries to inform herself on her own account as much as possible, and neglects no method of discovering the right. Justice, in short, and not the parties, "gets up" the case.

There are not, Sir J. F. Stephen considered, above two or three people in England who are thoroughly competent to weigh the value of evidence. If we think it necessary to make an allowance for natural modesty, and say four at the outside, the dictum may not have been far from the truth. Consider for a moment what weighs with one in accepting the statements of individuals in ordinary life. One's knowledge of the speaker, derived possibly from a life-time of constant intercourse, is always an incomparably dominant factor in determining our judgment. One would sooner believe that a plesiosaurus was coming up Fleet Street on some people's word, than that a limited company had liquidated on that of others. It would seem an absurd proceeding sedulously to divest oneself of all such means of enlightenment. In the inquisitorial system, as has been well remarked, the trial is not a conflict, but a closing scene, in which is summed up before the judges the result of the investigations of the public authorities. This is what makes the common gibes at French trials, and their apparently haphazard procedure and rules of evidence, so much beside the point. The real trial has already taken place in the shape of inquiries and examinations conducted by the public officers.

Their investigations are necessarily secret. So, for the matter of that, are an English litigant's researches; secrecy in

the earlier stages of a case is a necessity. And it is not so much the initial secrecy of the proceedings that is brought up as a reproach to the inquisitorial system, as the bias of the public authorities against accused persons. The system may not be applied to civil cases anywhere, but it is the universal method employed on the continent in criminal affairs, and the objection seems to be generally taken that there exists always such a bias against the accused. It is only necessary to remark that precisely the same allegation is made against the foreign judge sitting in open court. It is the continental exaltation of the State over the soul, that makes judge and examining officer alike regard themselves—State officials—on a plane above, and hardly bound by moral relations to, possible infringers of the State's laws. British ideas of equality and of the supremacy of law and common sense over the Government and its officials, are still strong enough to save us from that arrogance of bureaucracy.

There seems no reason why an English *juge d'instruction* need be any more biassed than an ordinary judge. It is the professional desire of all such officials to obtain a conviction, in the opinion of very many European publicists, even of those who support the system. However strongly they may be instructed that it is their duty to hold an even balance, their professional instincts will get the better of them. But why should there be such an instinct? It cannot be denied that something of this spirit manifests itself among our police force; and even Official Receivers have not always and everywhere been exempt from the suspicion of a tendency to harshness towards bankrupts. But, in the latter case, the officials in question were appointed under Chamberlain's Act, the very essence of which was politic harshness towards bankrupts. And in the case of policemen, professional advancement is well known to be not unconnected with activity.

On the continent, moreover, the prosecution and the investigating magistrate are identified. A *juge d'instruction* ought not to be a prosecutor. The prosecution—police or private—should proceed in the ordinary way; the bureau of



the *juge d'instruction* should be completely dissociated from it. No coming and going between the one and the other should be admitted: the valuable information of the police should be disclosed to the *juge* by the same formal methods as the information in the hands of the defence. The *juge* should organize his own inquiries, and make his own acquaintance with the character of the population, independently of them. Those readers of the HUMANE REVIEW who are acquainted with Ruskin's proposed parcelling out of the residents in a district among *episcopi* who should be in close touch with the ways of their especial charges, will see how admirably such an institution would fit in with a rational system of trial by inquiry.

Trials would not, then, be mere contests of wits before purposely blinded judges. The facts would all be carefully sifted and appreciated by skilled investigators. There would be no objection to their placing their results before tribunal after tribunal. New facts coming to light would pass through the crucible of their searching criticism. Each time, their results would be appreciated by a more and more select and experienced court; until, in the more difficult cases, the whole hierarchy of appeal had been invoked.

We laugh at the trial by combat of feudal times. Future ages will smile, if they do not sigh, at the trial by battle of the present day, in which the issue is staked upon the capacity of intellectual champions. So long as the litigant who can command the cleverest solicitor, the most brilliant counsel, and the most plausible witnesses, has an uninformed judge and jury to convince, so long will it be impossible to set up any real Court of Criminal Appeal.

T. BATY.

## THE HORSE AND HOW TO TREAT HIM.

A HIGH authority has called the horse "man's noblest servant." He is inferior to the dog in intelligence, attachment, and gratitude, and is, therefore, not so well entitled to be called man's *friend*. But it is not to be supposed that he is destitute of the qualities named. Among the animals domesticated by man only the dog excels him, and it will be generally admitted that in the matter of utility in a state of civilization he excels the dog.

Indeed there are stories told of the Arabian horse which, if true, place him on a level with the best of our canine friends. Perhaps in his case attachment has begot attachment, for there can be no question of the affection which the Arab bears for his steed. Many Arabs show pedigrees of their horses extending back to the stud of Solomon. The authenticity of these is doubtful, but it seems to be widely believed that many of the horses at present in Arabia are descended from the one Mahomet rode from Mecca to Medina on the night of the Hegira. These animals are very difficult to purchase, and always fetch great prices.

The Bedouins know the genealogy of their horses as well as those of their own families, and the most extraordinary pains are taken to keep the blood pure. As an instance of this, Burckhardt mentions that Savud the Wahabee had a favourite mare, which he rode in all his expeditions. She was known over all Arabia, and produced a foal of wonderful beauty, which became the finest stallion of his day. Savud,

however, would never allow him to be used for breeding purposes, because the blood of the dam was not quite pure. Ultimately he sent him out of the country.

The mare and her foal inhabit the same tent with the Bedouin and his family. The children frequently sleep on the animals. It is said that no accident ever occurs, and that the young horse acquires in this way the love for man for which he is noted all over the world.

If an Arab falls from his steed and is unable to rise, she will stand over him, and neigh until assistance reaches her. If he lies down to sleep she will keep watch, and will arouse him if either man or beast approaches. The Arab spends a great deal of his time in talking to his pet and caressing her.

Louis XIV. of France desired at one time to become the possessor of some Arab horses. Enquiries were set on foot, and an Arab was found whose whole stock consisted of a mare, but she was one of the finest of her race. The man, who had scarcely a rag to cover him, was induced to visit the French consul. The sum offered was great—it would provide the man and his family with food for life. At first he yielded. He dismounted and looked alternately at the gold and at his favourite. "To whom is it," said he, "I am going to yield thee up? To Europeans, who will tie thee close—who will beat thee—who will render thee miserable. Return with me, my beauty, my jewel, and rejoice the hearts of my children." As he pronounced the last words, he sprang upon her back and was soon out of sight.

It is easy to prove that the horse is not properly treated in this country. In England the average age of the horse is less than ten years, in France it is over twelve. This fact, although greatly to the credit of France, does not by any means prove that even in that country the horse is treated as he ought to be. Under rational and humane treatment his average age would probably approach twenty-four years. In every civilized country with which we are acquainted, his life is shortened by ill-treatment and overwork. The greed of gain of the owners of horses and the ignorance and brutality of drivers are at the bottom of the mischief.



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It is only fair to say that many drivers of horses are as much overworked and are generally as badly treated as the horses themselves. These men are out of doors very many hours, in cold and wet weather, and during their hours of duty can seldom sit down to a warm meal. A life of this sort is hardly conducive to the development of humane feeling. Moreover, they are expected to perform a certain amount of work in a certain time, and if they fall short of this their services are likely to be dispensed with.

But whatever excuses may be made for hired drivers nothing but indignation can be felt for the owners of horses who permit them to be tortured. And unfortunately instances of torture may be witnessed every day in the streets of London, and of all our large towns. They are so common, and people are so little prone to reflection, that unless the animals are subjected to great violence, no notice is taken of them. It is a fact however that the grossest cruelty may be perpetrated without one blow being struck. Many horses are so willing that when urged by crack of whip, or even word of mouth, they will pull until they fall from exhaustion. Such treatment is killing, and yet it may be witnessed very often.

The present writer happens to be located in the outer end of Lavender Hill, where the ascent is very steep. Nearly every morning, and sometimes three or four times in one morning, waggons laden with coal or some other heavy material are drawn up the hill. The unfortunate horse is wholly unable to pursue a straight course. By taking a zig-zag line, and making frequent stoppages, the task is generally accomplished, but the laboured breathing of the poor animal, and the yells of the driver, are painful to listen to. How is it that the police do not interfere in such cases? The drivers may not be blameworthy, but there are criminals somewhere who ought to be dragged into the light and punished.

The inhumanity of job-masters is pretty widely known. For several years my business compelled me to hire a horse and gig every Saturday. The owner nearly always reserved for me a grey mare, who was well bred and a most willing creature. When she was in good condition, not only was it

never necessary to use a whip, but she was prone to go rather too fast without it. At an early stage I noticed that, during the summer months, her condition varied to an extent that puzzled me. When I pointed this out to her owner, I received no satisfactory explanation. At length a Saturday arrived on which I found it difficult to get her to move at more than a walking pace. On my return I remarked to her master that she must be very ill. He made some cryptic observation and walked away. A stableman then whispered in my ear, "I quite believe you could not get her to trot. She covered sixty-three miles yesterday, with two men behind her."

Much of the ill-treatment to which horses are subjected is excused on the ground of their viciousness. As a matter of fact, in nearly every case viciousness in this animal is the result of bad education or brutal ill-usage. The horse is by nature obstinate—obstinate in virtue and in vice. When he has once acquired a bad habit, it is apt to become permanent and to become aggravated, but the primary cause of the mischief is seldom in the horse's own character. Let us endeavour to make this clear by taking a few examples of what is called vice in the horse.

Jibbing. Perhaps the best known of all the horse's failings is what is called jibbing. This consists in refusing to draw a load, or even in backing instead of going forward. One is safe in saying that the streets of London witness every day of the year hundreds of cases of jibbing. In every case the "jibber" and his driver are surrounded by an interested if not admiring crowd, who are profuse in suggestions and offers of assistance. The shouts or even oaths of the driver, and the cracking of his whip, may be heard for a long distance. In the majority of cases the horse is cruelly beaten, and the presiding policeman looks on unconcerned, thinking with the other spectators that the animal is only getting what he deserves. The prevailing opinion is that it is what the Yankees would call a case of "pure cussedness" on the part of the horse. Now let us endeavour to find the cause of the trouble.

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Jibbing is very often traceable to the horse-breaker. When a young horse is being broken it takes very little to give him a distaste for the article of harness known as the collar. There are two sorts of collars, those which open at the top, and those which are solid leather all round. The latter must be put on over the horse's head, and to perform that operation without hurting the animal in the tender region of the eyes is often very difficult. Indeed, when the head is larger than the average it is all but impossible to avoid inflicting pain, for the collar must be of a size to fit the horse's shoulders, otherwise it will cause much more prolonged pain during the time the animal is working. It is easy to understand how, under the circumstances described, the young horse may acquire a distaste for the collar which he will never get over. As a matter of fact, no such collar should ever be placed on a young horse, and even in the case of old horses the greatest care should be taken to avoid irritating the animals when putting them on.

The form of collar which opens at the top can always be put on without hurting the horse's head, but that is by no means the only point to be considered. Above and before all else it should exactly fit the horse. The force of this remark will be appreciated when it is remembered that it is to the collar the whole strength of the animal is applied. An ill-fitting collar is to the horse as certain a source of torture as is an ill-fitting boot to the human being. If it be either too large or too small it soon becomes intolerable. And there are other points to be considered as well as size. Horses differ very considerably in the shape of their shoulders. Each animal should be carefully measured for its collar by an experienced harness-maker, and when this is done it will be found that there is not nearly so much jibbing as we have to deplore to-day.

Of the men who keep horses, whether for their own use or for the purpose of hiring them out, the great majority commence business by purchasing a certain number of sets of harness. These may fit the horses on which they are first used, but changes take place soon and frequently. New



arrivals have to wear the old clothes. If a collar be unsuitable, and a poor animal protests against it in the only way open to him, he is generally thrashed unmercifully by the booby who owns or drives him.

Every young horse is at first shy of the collar. The horse-breaker who understands his business (unless he be paid by the job, as he very often is) will never force him to wear it against his will. The quickest method of reconciling him to it is by placing collars on other horses which are his companions before his eyes. The operation should be performed most tenderly, and indeed playfully. All young animals enjoy being played with.

Even when a collar is an excellent fit, and the young horse does not object to it, he should not be forced to throw his whole weight into it at first. The shoulders of the young horse are tender, and, until they get accustomed to pressure, a heavy load may cause them intense pain, without breaking or even blistering the skin. This pain is almost sure to lead to some degree of jibbing, and to great and probably permanent dislike of the collar.

The horse, whether young or old, when yoked to a heavy load, should never be compelled to start up hill. Let the reader observe how a man behaves with a heavily-laden handcart. When starting, he will always take a few steps over level ground before attempting to ascend, knowing well the advantage of getting the cart in motion first. Simple and obvious as this is, there are many carters who do not perceive it. The strain of starting up hill with a heavy load is simply killing to the horse, and it is not to be wondered at that he often resents it. This he generally does by "backing." The remedy does not lie in the whip, as drivers appear to suppose, but in placing blocks or stones behind the wheels, and starting the horse downhill, or at least in a direction in which the road is level. If the habit of backing has become confirmed and the horse persists in it, then he should be compelled to back up hill. He will soon tire of this, as it is much harder than going forward in the same direction.

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The most common of all causes of jibbing is simple overloading. The writer remembers a mare who was at ordinary times a most willing worker, and, indeed, a celebrated trotter. She was always ready to draw up to eighteen hundredweight on a light cart, but when loaded beyond that point she simply stood still, and no amount of persuasion or threats or violence could induce her to move either backward or forward. She was not a strong animal, and in all probability this was just her way of informing all whom it might concern that she was being taxed beyond her power. I can certify that she soon educated her owner, who was my father, and that the lesson she inculcated was productive of better treatment to her companion horses as well as to herself. Much of the jibbing which one witnesses in the London streets is directly and immediately due to overloading. There is more, however, of the latter than of the former, and hardly a day passes in which I do not come upon a case which makes me regret that the poor animal has not sense enough to jib.

It cannot be denied that one occasionally meets cases of jibbing which appear to be without any justification whatever; the harness fits properly, the horse is not overloaded, and the driver is not too free with the whip. If these be investigated it will be found that the jibbing almost always began in some one of the ways just enumerated, and that the vice was aggravated by brutality. It is now incurable. Flagellation will make it worse, if that be possible. Henceforth the horse will only be useful as one of a team. There, his companions will drag him along if necessary, and ultimately compel him to do some of the work.

Biting. All young animals are fond of play, and the young horse, to a greater extent perhaps than any of the others, is obliged to play with his mouth. He cannot, like the kitten or the puppy, use his paws. Nothing delights him more than being caressed, and he shows his gratitude by taking in his lips, or his teeth, the hand of his friend. If treated gently, and with confidence, he will never bite.

Let the reader try this plan with a young foal. Let him scratch it gently between the ears, and talk soothingly to it. Should it run away, as it is likely to do at first, let him not follow, but entice it back with soft words, and caressing motions of the hands. Soon, it will temporarily desert its mother for its playmate. In course of time, when out in the fields, it will run up to strangers, especially if they be children. It will take their hands, and even their faces, in its prehensile lips. It will pretend to nibble the tresses of little girls, without, however, doing them the slightest injury. This shows clearly that to play with his mouth is a habit natural to the horse.

It is almost incredible, but true, nevertheless, that many grooms and stable-boys fail or refuse to recognise this fact. When the young horse attempts to touch them with his lips they often beat him. Some do even worse, they tease him. They tickle him, they pinch him, they even stick pins in him. The horse is slow to take offence. For a long time teasing will only have the effect of making him play more vigorously. By degrees, however, as he is made to endure more pain, he will learn to snap. At first he will only pretend to bite, but later he will actually bite. When that stage is reached, he will not wait to be provoked, he will challenge the combat. He will watch his opportunity to seize his tormentor, and will indeed seize anybody who comes within reach.

A biting horse is a dangerous animal. He will lift his victim, and shake him like a rat. By degrees he will learn to use his feet, he will trample on him and kick him. He is never to be trusted. A stallion is generally worse in this respect than any other horse. This is a sad ending to a business begun so innocently. They manage things better in Arabia.

Is there any remedy for biting? Professor Stewart, in his "Stable Economy," says: "I have seen biters punished until they trembled in every joint, and were ready to drop, but have never in any case known them to be cured by this treatment, or by any other. The lash is forgotten in an



hour, and the horse is as ready and determined to repeat the offence as before. He appears unable to resist the temptation, and in its worst form biting is a species of insanity." This does not make one very hopeful. Obviously it is better to make a friend than an enemy of the horse.

I feel tempted here to introduce a few words about a celebrated Irish horse-breaker named Sullivan, who lived in the early years of the nineteenth century. He was known as the Whisperer, because whenever he took a horse in hand he insisted on shutting himself in with his subject in its stable for a period varying from half an hour upwards. Little or no hustle was heard by the people outside, and whatever the secret of his art may have been it is certain that he never used violence. The country people believed that he whispered something in the horse's ears; hence his title. Although the tales told about him make his power appear magical, there is no doubt of the truth of the story of his life and deeds. Those desirous of learning more about him will find it in "The Veterinarian," by Mr. Castley, the "Statistical Survey of Cork," by the Rev. Mr. Townsend, and in "Croker's Fairy Legends and Traditions of Ireland," part 2, page 200.

The Whisperer was an awkward rustic whose occupation was horse-breaking. His charge for taming a vicious beast was from two to three guineas. He was offered large sums to go abroad, but could never be induced to go very far from his native Dunhallow and its fox-hounds. In what his art consisted will probably never be known, for he died without revealing it. When about to be locked in with a horse he invariably gave orders that the door was not to be opened until he gave a signal. When the signal was given, and the people entered, the horse was always found lying down, with the man by his side playing with him. After that the horse was always willing to do what was required of him, but it is said that after the lapse of several years a few of them returned to their old vices.

It is related of the Whisperer that he was a man of extraordinary natural intrepidity, and that he awed most

horses by a look. Mr. Croker relates a case of which he was an eye-witness. There was an old troop-horse who could never be got to stand for a smith to shoe him. It was thought that after regimental discipline had failed no other would be found availing. The day after Sullivan's half hour's interview, Mr. Croker saw him shod, and testified to the complete success of the Whisperer's art.

**Kicking.** The natural weapons of defence of a horse are his hind feet. It is not to be wondered at, therefore, if ill-usage of any sort causes him to kick. The same rough treatment which makes him a biter will, in time, and probably soon, make him a kicker. There are, however, other causes of the latter vice.

Horses differ greatly in the sensibility of the skin. Whilst some seem almost as tough in the hide as a rhinoceros, others cannot bear a fly to alight on them without feeling annoyed. In some young horses the skin is extremely sensitive. Yet it is not uncommon to see ignorant grooms tearing at these with a curry-comb as if they had no more feeling than a brick wall. When the poor animal resents the torture it is often brutally beaten, and even kicked. Such men do not know the heap of trouble they are piling up for those who come in contact with that horse in the future. When the habit of kicking is once established it is simply incurable.

The process of cleaning should be made pleasant to the horse. If a curry-comb must be used it should be used most tenderly. Many such combs get thrown about, and have teeth broken. These should be discarded at once. An uneven brush should never be applied to a sensitive animal. Indeed, there are horses to whom even the best brush is an instrument of torture, and the recollection of the pain they have felt makes them inclined to be vicious during every subsequent operation of the kind. If the horse is dressed with a lighter hand, and a wisp used as often as possible, he will soon forget former ill-treatment, and learn to like the operation.

When a horse has once acquired the habit of kicking, the slightest irritation about the hind quarters will cause him to



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kick in harness. This is a most serious matter, as he may destroy the bottom of a chaise, and injure the occupants. Such a horse should never be yoked to a light vehicle. If he be harnessed to a heavy cart, and a very strong kicking-strap be used, he may be prevented from doing mischief. If a horse begins to kick when no kicking-strap is available a piece of rope, or a pocket-handkerchief, must be used to bind up the near fore-leg. He should then be driven upon three legs some little distance, when he will become tired and subdued. To beat him is utterly useless. A kicking horse should be got rid of as soon as possible. He is never reliable.

**Rearing.** This is often the result of playfulness. It is more frequently caused by the rider using a sharp bit, which hurts the horse's mouth. When the animal is pulled up sharply he yields to the pressure of the bit to the extent of rearing, in order to avoid pain. The curb, if unskilfully placed, sometimes has the same effect. If the mouth of a rearer be examined it will often be found lacerated, or at least bruised. The obvious remedy is to use a proper bridle.

**Shying.** Everybody acquainted with horses knows that old ones are more likely to shy than young ones. This arises from a decay in the organ of vision—a loss of convexity in the eye, lessening the convergency of the rays, and throwing the perfect image beyond, and not on the retina. The horse, in fact, sees things imperfectly, or sees them in forms which frighten him. It is obvious that the whip can do no good here. It may, however, greatly aggravate the shying. A few words of remonstrance, kindly but firm, will give the horse confidence, and cause him to trust his driver on a future occasion. A blind horse, if treated tenderly, will trust his driver implicitly.

Young horses sometimes shy from timidity and want of experience. They acquire a dread of certain objects and a desire to shun them. One will fly from a windmill, another from a pump, and so on. An ignorant driver will beat the animal unmercifully, but this will not remove its terror. When it next sees a windmill, it will be afraid of the

mill and afraid of a thrashing. The right thing to do is to bring the animal gently and gradually towards the object which it fears. When the horse realizes that the thing is harmless his shying is at an end.

Running away. A runaway horse is a terrible nuisance and a source of constant danger. This vice is often found associated with a singular degree of cunning. The horse will work quietly and satisfactorily for days and weeks when it knows it is under control, but presently it discovers that its driver has left it for a moment, and then it asserts its freedom. Even in a crowded street it will cock its tail and gallop away at the top of its speed, as if to say, "Now my turn has come, and I am going to have my fling." Some horses, whilst being ridden or driven, will take the bit in their teeth and bolt.

Running away is generally due to improper treatment when young. As a matter of fact, the education of the horse should begin with his weaning, if not before. It should be as pleasant as the education of a child. If he be allowed to run half wild until he is full grown, and then, all at once, be deprived of his liberty, and compelled to do hard or unpleasant work, it is not to be wondered at if he rebels. Running away is just an attempt at regaining his former freedom. All young horses run away, or try to do so, when first mounted or put in harness.

This habit is the most dangerous of all the vices of the horse, and not infrequently persons are killed or injured as a result of it. It must therefore be cured. Fortunately there is a way of curing it which experience has proved reliable. The runaway horse should be taken to a place where he is not likely to injure anybody, or even himself, and there be encouraged to bolt. When he has galloped himself tired, and wants to stop, he should be encouraged to gallop on. The rider or driver should urge him by voice and crack of whip to keep the game up. In fact, he should be *compelled* to gallop as long as he has an inch of wind, and when he can go no further he will feel that he has made a fool of himself. This operation should be repeated two or



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three times, and it will soon appear that the animal has acquired a distaste for galloping at all.

There is no sense in flogging a runaway horse after he has come to a standstill. At that stage he cannot understand the object of the punishment.

One of the highest authorities on the horse (Youatt) has written the following sentence: "The restive and vicious horse is, in ninety-nine cases out of a hundred, made so by ill-usage and not by nature."

It is unfortunately impossible to state in plain figures, which will apply to every case, the power of traction of the horse. Indeed, it is difficult to strike an average which will be of any practical use. Horses differ immensely in size and strength. But roads differ still more. A high authority has stated that the draught in ordinary roads varies in the proportion of eight to one. It is, therefore, obvious that a load which would be fair to one horse would be utterly unfair to another, and, moreover, that a load which would be fair to a certain horse on a certain road would be quite unfair to the same horse on a different road.

Again we have to consider the number of hours during which the horse is worked. The maximum load which he can draw without injuring himself, for one hour, becomes perfectly killing if the horse is compelled to draw it for eight or nine hours.

Further than this, the speed at which the horse travels has to be taken into account. A load which would be fair if the horse were allowed to travel at a walking pace becomes ruinous if he is compelled to trot. These considerations are often ignored by drivers.

There is one way of getting at the actual force of traction of any particular horse. This is by attaching him, by means of his traces, to the lever balance known as a steelyard. Whether the pull be horizontal or vertical does not matter. In either case his strength, to the pound, will be indicated on the dial. This once ascertained there are data available which will enable his owner to ascertain approximately

the load which he is capable of drawing over any sort of road, for any number of hours, and at any speed.

Messrs. Barclay and Perkins' dray horses, which are some of the most powerful in England, are seldom required to draw more than two tons on the London streets, and the distance they travel daily is about eighteen miles. Both burden and mileage are the result of careful calculation and observation, and may be taken to be the most suitable to the health of the animals and the pockets of their owners. These horses are splendidly fed and groomed. It is not uncommon to see ill-fed animals less than two-thirds their weight drawing heavier loads over longer distances.

After much searching we have arrived at the conclusion that a fair maximum load for the average draught-horse, over good roads, is twenty-five hundredweight. Tredgold, in his work on Railways, says that the working day of the horse should be one of six hours, and that a *full day's work* may be got out of him in that time. Youatt says that the rate at which a loaded horse should travel is two and a-half miles per hour. It should be remembered that both these conclusions were arrived at after careful experiment and calculation, and that the authorities who state them were actuated not so much by humane feelings towards the horse as by a lively regard for the pocket of his owner. Owners of horses, therefore, are not likely to lose anything by adopting them. Killing the goose that lays golden eggs is not a wise policy. A rational treatment of the horse will forbid the immediate advantage of an enormous day's work, but it will double the length of the animal's working life, and enable his owner to obtain from him over the whole period the maximum of useful effort.

J. CONNELL.



## THE ECONOMICS OF HUNTING.

It is often maintained that hunting, whatever objections may be raised to it on grounds of humanity, is beneficial to the public. The reasoning by which it is sought to establish this thesis reminds one of that by which Dr. Mandeville endeavoured to prove that private vices were public benefits ; but it is proposed in this article to examine the subject more fully. Cruel sports, generally speaking, are not I believe public benefits even from the pecuniary point of view ; but as the grounds for this assertion are not the same in all instances, they cannot all be dealt with in a single article. Nor do I propose in the present instance to deal with all sports that come under the head of hunting. I shall confine myself to hunting animals with dogs, the men and women who participate in the sport being usually mounted.

Labour generally may be referred economically to the two heads of productive and unproductive labour. It is productive if it produces more than the cost of the labourer's maintenance (taking his past maintenance preparatory to his work into consideration), and unproductive if it produces less. And in general there is an objection to employing labour in a less productive manner than it might otherwise be employed. A great author or a great statesman might be able to earn his bread by breaking stones on a road, but every one would regard forcibly employing him in this manner as a waste of labour. Horse-labour and even dog-labour may be similarly regarded ; or, to put it otherwise, every horse and every dog



represents a certain amount of human labour which must be regarded as usefully employed, or as wasted, according to the work which the horse or dog does. If I set a horse to work to draw a big stone to the top of a hill and then down again, every one would regard this amount of horse-labour as wasted ; but it would be different if the same horse were employed in drawing stones to the site of a building where they were required. And in estimating the productiveness or unproductiveness of labour in any given case, we must have regard to the value of what it produces to society in general, and not merely to the amount which the labourer receives for producing it. One might earn £100 by walking a mile in the shortest period on record without producing anything of the slightest utility to mankind.

Human labour, however, in a country like this is capable of producing more than is required to feed and clothe the population and to supply them with fire and shelter. There remains a surplus which may be devoted to mental improvement or to any innocent recreation. Recreation must be regarded as a good thing, and labour employed in producing recreation cannot be regarded as absolutely unproductive. It may, however, be unproductive in the wider sense in which I have used the term, viz., the value of the product does not suffice to pay for the maintenance of the labourers. I mean, of course, the value of the labour *to society*. Those who employ it, I presume, consider it worth what they expend on it—*to themselves*. But they might be of a different opinion if they had less money to expend.

Turning then to our recreations, I think I may lay down in the first instance that the best recreations are those in which the largest number of persons can participate. And it is more especially desirable that the working-classes should participate in them, for the man who spends most of his available time at hard labour stands in much greater need of recreation than the man or woman who has little or nothing to do—whose ordinary life, perhaps, includes more recreation (or, at least, idleness) than labour. But working-men cannot afford to keep or to hire horses, and seldom

possess any skill in horsemanship; and if one of them did happen to obtain a mount and was able to ride successfully, his presence at a hunt would be resented as an intrusion. Hunts are recreations for the wealthy classes only; and this mainly results from their expensiveness. The poor could not join in a hunt without paying more than they could afford to pay. But money always represents labour, and an expensive recreation means a recreation on which a large amount of labour has been expended without any useful result except the resulting recreation.

In these last remarks I have anticipated the next condition of a good recreation, viz., that the expenditure of labour on it should be small. The more labour we can spare from recreation for works of more abiding utility the better. But hunting is very expensive, and the promoters are not philanthropic enough to expend the additional sum which might enable a greater number of persons to participate in it. The hounds consume a large amount of food which could be used to better purpose if they were out of the way. A number of persons are employed in looking after the hounds whose labour has no productive result except in contributing remotely to the pleasures of the chase. Kennels have to be erected for keeping them, and horses and machines are required for moving them. Great numbers of horses used in hunting do no other useful work whatever, and these are often high-class and high-priced horses. Then there are huntsmen, whippers, &c., to say nothing of the food supplied to the horses, and of the persons employed to look after the foxes or other animals intended for the chase. Fox-covers often occupy land that would otherwise be valuable, and the preservation of deer and hares prevent land from being put to the best agricultural uses. That hunting always reduces, and very materially reduces, the proceeds of labour available for the use of the public cannot, I think, be seriously disputed; and in many cases labour is diverted from these productive uses to the production of recreation for others in which the labourer himself does not participate. A similar remark is often applicable to grooms.



Another condition of a good recreation is that it should do no harm to others. But can this be said of hunting? As regards fox-hunting in particular, the fox is a mischievous animal who would have been exterminated, like the wolf, long ago if he had not been preserved for the pleasure of hunting him. He kills young lambs, fowl and anything of the kind that comes in his way; and woe to the farmer who revenges himself by killing the depredator! Even the hare and the deer are not quite innocuous. But the hunt is worse than the animals who are hunted. The hunters break down the farmer's fences and frighten his cattle and sheep, often causing the loss of calves and lambs, and injure his crops, while he has no redress because the landlord has in his lease reserved the right of hunting over the lands. At the end of a day's hunting perhaps the number of persons injured by it is equal to the number who have enjoyed the recreation, and the injury is not so easily repaired as the recreation is forgotten.

Another requirement of a good recreation is that it should not be dangerous. But many a valuable life has been lost in the hunting-field while other victims have been permanently injured, and have died prematurely perhaps by their own hands. Horses have suffered perhaps even more frequently than their riders, and the sufferings caused to other animals (including that hunted) have been already glanced at. Considering the relative number of persons engaged in the sport, I believe hunting is much more dangerous than foot-ball, while there can be no possible comparison between the number of persons who enjoy a game of foot-ball, and those who enjoy a hunt.

We are told that hunting necessitates a large expenditure of money in the district. Every expensive amusement must do that. But if the most expensive amusement was the most valuable to society, it would follow that the way to benefit society was to increase the amount of unproductive labour. But even with productive labour our great object, is to obtain the desired product with as little labour—as little expense—as possible. The more cheaply we can produce the



necessities and conveniences of life, the better it will be for the people. This will hardly be disputed. Why, then, should we apply a contrary rule to recreations, and lay down that the more expensive they are, the more beneficial they will prove to society? Granted that a hunt produces a large expenditure of money in the district, and that some deserving shop-keepers and tradesmen make a profit thereby, and some honest labourers are employed at better wages than they would receive if the money in question were not expended—what then? What would become of the money thus expended, if there were no hunt? It is almost certain that it would be expended in a manner more advantageous to the community. Even if the owner of the money wished to invest it rather than to spend it, he would probably do so by employing it in the working of a railway, or a mine, or some other work of public utility. If he simply lodged it in a bank it would enable the bank to lend more money to its customers to be employed by them in useful purposes, and if he kept it in his house in bank-notes the result would be pretty much the same as if he had lodged it in the bank. It might not of course be expended in the district, but we should look to the interests of the kingdom rather than those of the district. But save in the few cases in which persons come from a distance to enjoy the pleasures of hunting in a particular district, I believe the money would usually be expended in the district, and with greater advantage to the inhabitants if there were no hunt. The comparison should not be made between the district with this expenditure and the same district without it, but between the district with this expenditure and the same district with the same sum expended in a different manner. Would the same sum, if otherwise expended, be likely to prove less beneficial to the district? I think not.

Hunting is, therefore, objectionable as a recreation on many distinct grounds. It affords recreation to only a small number of persons, these being the very persons who are least in need of recreation. It involves the expenditure of a large amount of labour (direct or indirect) as compared with

the amount of recreation produced; and, passing over the sufferings of the hunted animal altogether, it involves no small amount of injury and suffering both to men and animals. But, in the wider view of the modern economist, it is also objectionable as cultivating a callousness of feeling and disregard of suffering which is in the last degree undesirable—and especially as cultivating this feeling among the class from which our legislators are largely drawn. They become inured to regard with indifference not only the sufferings of the hunted animal, but those of other animals and even people which they witness. Very recently a lady was thrown from her horse and received a fatal kick in the head, at the “meet.” She was carried to a neighbouring cottage to die, while the hunters started in pursuit of the stag; and it is stated that she was well-known and very popular among them! If there were less hunting and shooting among the class from which the majority of the Legislature is drawn, the humanitarian cause would receive a fairer hearing in Parliament—as would also be the case if flogging were abolished at the public schools, where the members of this class are for the most part educated. But what are we to think of education at a school like Eton where flogging is supplemented by a pack of beagles? I would rather “teach the young idea how to shoot” than how to hunt, or how to flog. How often do we hear the argument—stated in somewhat more circuitous terms—“I hunt and therefore hunting must be right. I was flogged and therefore flogging must be right”!

We have only to break down the barriers between the different classes somewhat further in order to put an end to all such class-amusements as hunting undoubtedly is. In cricket for example we see gentlemen and professionals playing side by side and vying with each other as to who will do the best service for his county, while thousands of spectators of all ranks assemble to watch the play. But in games conducted on horseback the public can rarely participate. When like polo conducted in a confined space, the public can look on, but they cannot keep the hunt in view for any considerable time.

Let me add that in the hunting-field one often forms an acquaintance with undesirable persons ; for the number who take part in the chase being limited and the meetings frequent, acquaintance naturally springs up. The remark is specially applicable to persons of different sexes. Acquaintances which commenced in the hunting-field have often ended in the Divorce Court. The persons engaged in a hunt are rather players than spectators, and the consequences of throwing together a number of players without any previous acquaintance or information as to character can be easily foreseen. In a late well-known instance, both gentleman and lady were married, but presumably their respective spouses did not take the same interest in the chase that they did. "Horsey" ladies, as a rule, do not bear so high a reputation as those who let the hunt alone, though the great majority of them are no doubt free from any serious moral delinquency. Cruel sports do not tend to improve morals—especially in the case of the fair sex.

Briefly, the recreation afforded by hunting is confined to the few who are least in need of recreation. It costs much more than the recreation afforded by it is worth ; and it entails ill-consequences of various kinds which, apart from the actual expenditure on the sport, appear to be quite sufficient to outweigh the limited amount of recreation which it yields to its devotees. There are physical, at least pecuniary, ill-consequences to those who do not participate in the sport as well as to those who do ; and I am by no means certain that all the moral ill-consequences are limited to the latter. It would, in fact, be difficult to expend the same amount of money in a manner less advantageous to the public.

THOMAS STANLEY.



## REVIEWS.

*The Works of George Warrington Steevens. Vol. 1. Things Seen.*  
(Blackwood & Sons, Edinburgh and London. 1900.)

"Things Seen" consists of a republication of several articles published by the late G. W. Steevens, some of which are of considerable interest to humanitarians. Whether Mr. Steevens, if he had lived, would have republished these articles without considerable modification may be doubted. We learn from the brief Memoir at the commencement of the volume that the mourners for his untimely decease included "all Ladysmith, where in his high-hearted endeavour to 'succour, help, and comfort all that were in danger, necessity and tribulation' he had jested and smiled himself into the hearts of our sick and wounded." He had thus become a practical humanitarian, if not a humanitarian in theory. He combated pain, though it was not, according to his theory, an evil.

The article on which we would chiefly comment is that on "The New Humanitarianism," which first appeared in *Blackwood's Magazine* for January, 1898. It is followed up by another entitled "The New Gibbon" which appeared in the same Magazine in February, 1899, and aimed at ascribing the decline and fall of the British Empire to the growth of Humanitarianism. Mr. Steevens uses the phrase "New Humanitarianism" in a very extended meaning, apparently with the object of charging the promoters of rational Humanitarianism with the follies (or apparent follies) of persons with whom they

have no connection. The grand error of all humanitarians however is, he affirms, the enormous stress which they lay on physical pain and its absence; which in his opinion is gross materialism. All humanitarians agree in "the elevation of pain and—not pleasure, mark but—the absence of pain into the ultimate standards of evil and good" (p. 12). Moreover these humanitarians, he alleges, regard only physical pain. Mental pain is overlooked. "As we become more sensitive to physical, we become more callous to mental agony." "Pain is no longer to be considered unless it is felt with the body" (p. 17), and he even intimates that humanitarians are satisfied to look away from physical pain instead of trying to relieve it. "Death is not death unless you can see the bleeding bodies" (p. 18).

Turning to what Mr. Steevens cites as specimens of the absurd lengths to which this humanitarianism will carry us, I find that one of the first mentioned is the sending of Christmas hampers to cripples by the *Daily Telegraph*. Is the object here merely to promote painlessness? The cripple may not be in bodily pain at all, and even if he were so, the proprietors of the *Daily Telegraph* need only look away in order to feel no uneasiness on that score. Further, the contents of the hamper will not remove the pain. Mr. Steevens then proceeds to blame the parents and others for the tenderness which they show to these poor crippled children. Does this tenderness arise merely from the "blind horror of physical pain" which the author ascribes to the humanitarians? But Mr. Steevens thinks it is "unjust and pernicious" to "pamper" crippled children. Parents, he thinks, ought to be "ashamed" of them, and we presume he would not object to this shame taking the form of neglect which would ere long lead to their being quietly "put away." Turning next to prisons, he regards the outcry for reform in these institutions as the very acme of "sentimentality and unreason." "A plain man," he says, "who sees the warm, airy, light, clean cells of British prisons is apt to ask himself wherein, but for the necessary loss of liberty, the hardship of imprisonment consists" (p. 8). Be it so; but the humanitarian seeks to reform our prisons because the present system involves mental pain, mental degradation, and the absence of all mental culture. The humanitarian is neither insensible to the desirableness of conferring innocent pleasures on others, nor does he omit to take into account mental as well as bodily pains; and many a humanitarian, so far from

shrinking in horror from the mere sight of pain, has suffered no small amount of pain and inconvenience in his efforts to relieve others.

It is strange, however, that Mr. Steevens and those who agree with him as to the unimportance of physical pain should not see the obvious consequences of their own doctrine. If physical pain be no evil, or only a very slight evil, crimes of violence cannot be regarded as heinous offences. The swindler who causes so much mental pain and injures the prospects in life of so many people must be regarded as much worse than the garotter, the wife-beater, or the hooligan; and it is on this swindler that the severest punishments in our Code ought to be inflicted. The garotter, the wife-beater, and the hooligan may be coarse and brutal, but Mr. Steevens is careful to tell us that the Empire has been built up by men whom we should now regard as coarse and brutal, and many of whom, he might have added, beat their wives, their children, and their servants. How can those who regard these men with admiration advocate flogging for their imitators at the present epoch? Some of these empire-builders did far worse things (for instance, at the sacking of a town) than our present race of violent criminals ever did.

The theory of Mr. Steevens—in which he did not stand alone, though he may have been more outspoken than others—is based on the apotheosis of physical strength and activity, utterly regardless of mental qualifications. It would send the weak puny infant to the grave, regardless of the intimations of talent which he might exhibit even at an early age. It is based on the survival of the fittest—the fittest meaning the strongest. But under the present conditions this theory utterly fails even in warfare. An active little man who can aim quickly and fire straight while he exposes a small target to the enemy—and who can subsist on a very moderate quantity of food—is far superior as a soldier to the giant, who is pretty certain to be shot before he can get to close quarters with the enemy. Even with the private soldier mental qualities are now as important as physical, and with the progress of machinery great physical strength is now required in hardly any department. And the Boer War has done much more to defeat the objects of such men as Mr. Steevens than to promote them. Numbers of strong, healthy, active men have died in battle or of disease. The weak and puny remain as numerous as before. We have been promoting the survival of



the (physically) unfittest, and the effects of this process may not improbably become manifest in the next generation.

Mr. Steevens speaks of a comparison between the sufferings which we inflict on criminals and those which criminals inflict on innocent persons. Except on the very crudest form of the *lex talionis* such a comparison is altogether out of place. What we have to compare with the amount of suffering which we inflict on criminals is the amount of suffering from which we save other persons by inflicting it. If our punishments had no effect in diminishing crime they would form a gratuitous addition to the sum-total of human misery. They are only admissible on account of the sufferings which they prevent, and any comparison of them with the sufferings which they fail to prevent is at once irrelevant and misleading.

Mr. Steevens is compelled to admit that in spite of the growth of humanitarianism crime in this country is decreasing, but he alleges that it is increasing in America where still more lenient methods are adopted. But in the first place we do not believe that crime is increasing in America, and in the second place we do not believe that the American methods are on the whole more lenient than the English. Our author cites Elmira as if the system adopted there prevailed throughout the United States. Why not refer, for example, to Delaware, where the whipping-post and the pillory still flourish and even women, we believe, are sometimes publicly flogged? These were the methods of our ancestors which Mr. Steevens seemed anxious to revive. Lenient and severe systems exist side by side in America. A careful comparison of them and their results might prove useful, but this Mr. Steevens never attempted. Laxity, he tells us, never reformed anyone. Perhaps not. But did severity ever reform any one? All punishment is intended not to reform but to deter. If we desire to reform criminals, we must have recourse to other means than punishment.

Humanity, according to Mr. Steevens, is the great cry of what has been called the Little England party in contradistinction to the Imperialists or Jingoës. We wish it were so. We should be glad to have the support of any political party, but none of them will venture—as a party—to throw in their lot with ours. But, the cause of Humanitarianism is gaining strength, and both political parties will soon find in it a factor that must be reckoned with. The author, however, has done good service by calling

attention to the brutality and cruelty to which Imperialism and Jingoism are likely to lead us unless carefully controlled, and by showing that their real basis lies in the deification of physical strength and physical force, the strongest and healthiest being regarded not only the fittest to survive, but the fittest to rule. His ideal of humanity would be found in the men of Cro-Magnon whose disappearance, while the pigmies of Central Africa lived on, is not easily explained by the cult of physical force and of reversion to the days of ancient savagery. Mr. Steevens has put forward this theory in all its nakedness, and there are few of his readers who will not find it repulsive. To correct his other errors and omissions would occupy more space than we can afford. The article has at least the advantage of exhibiting the anti-humanitarian theory in its true light, which we believe is all that is necessary to secure its rejection.

THOMAS STANLEY.

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*Birds and Man.* By W. H. HUDSON, F.Z.S. (Longmans, Green & Co., London. 1901. 6s. net.)

*El Ombú.* By W. H. HUDSON. (Duckworth & Co., London. 1902. 1s. 6d. net.)

We have here the rare treat of two new books by Mr. W. H. Hudson, one in the style in which he is now well known to lovers of the best contemporary literature, the study of wild nature and especially of birds—the other in a style which has hitherto been less cultivated by him, short stories descriptive of the remoter and more romantic aspects of South American life. Let us say at once that, while anything written by Mr. Hudson is well worthy of attention, we have not the slightest doubt that he finds his best and most personal expression in such books as “Nature in Downland” and “Birds and Man,” that is, in the field of natural rather than of human history—if the popular distinction between the “human” and the “natural” may for the moment be allowed to serve.

In “Birds and Man,” a collection of short essays reprinted from various periodicals, we often see Mr. Hudson at his very best; for there is no living writer who can rival him in his treatment of natural scenery, and in his delineation of the subtle and poignant sympathies that exist—for some of us, at any rate—between nature and man. Take, for example, the following extract from

the wonderful essay on "Early Spring in Savernake Forest" in the volume under review:—

"To lie or sit thus for an hour at a time listening to the wind is an experience worth going far to seek. It is very restorative. That is a mysterious voice which the forest has: it speaks to us, and somehow the life it expresses seems nearer, more intimate, than that of the sea. . . . There are sighings and moanings, and wails and shrieks, and wind-blown murmurings, like the distant confused talking of a vast multitude. A high wind in an extensive wood always produces this effect of numbers. The sea-like sounds and rhythmic volleyings, when the gale is at its loudest, die away, and in the succeeding lull there are only low, mysterious, agitated whisperings; but they are multitudinous; the suggestion is ever of a vast concourse—crowds and congregations, tumultuous or orderly, but all swayed by one absorbing impulse, solemn or passionate. But not always moved simultaneously. Through the near whisperings a deeper, louder sound comes from a distance. It rumbles like thunder, falling and rising as it rolls onwards; it is antiphonal, but changes as it travels nearer. Then there is no longer demand and response; the smitten trees are all bent one way, and their innumerable voices are as one voice, expressing we know not what, but always something not wholly strange to us—lament, entreaty denunciation."

There are a number of other fine essays in the volume, notably those on "Selborne," "The Dartford Warbler" (reprinted from *THE HUMANE REVIEW*) and "The Secret of the Willow Wren," a beautiful chapter which would be noteworthy if only for the three lines in which its author remarks that he cannot dissociate the voice of the willow wren "from the idea of a fairy-like child with an exquisitely pure, bright, spiritual voice laughingly speaking in some green place." "Birds and Man" will be a precious book to Mr. Hudson's many admirers.

"El Ombú" is the second volume in Messrs. Duckworth's very promising "Greenback Series," which commenced with Maxim Gorky's "Twenty-six Men and a Girl." There are passages in it that only a great writer could have written, such as that which, in the story "Niño Diablo," sets before the reader with life-like reality the family circle that gathers round the kitchen fire in a remote homestead on the pampas. But on the whole we feel that, in the rôle of story-writer, Mr. Hudson no longer wields the magician's wand as in his more characteristic nature-essays, for like Thoreau and Richard Jefferies he seems to lack that power of close and sustained narrative which, though not needed by the



essayist, is essential to the teller of tales. We would not, however, give the impression that the book is in any sense a failure. It deals largely with open-air life, and Mr. Hudson is always delightful when writing on such themes. Any disappointment we may feel in it is due mainly to the fact that one inevitably compares it with its author's productions in his other sphere of work, and that is a comparison which "El Ombú," with all its merits, is unable to sustain.

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*With Rimington.* By L. MARCH PHILLIPPS, late Captain in Rimington's Guides. (London: Edward Arnold, Bedford Street, W.C. 1901. 7s. 6d.)

Of the books that have been published about the war, this, in our opinion, is the best written. Captain March Phillipps seems to have been keenly alive to all the aspects, terrible and picturesque, of the great struggle that has been adding so bloody a chapter to the history of South Africa; and the result is a book which gives a far more vivid impression, both of the natural features of the country and of the methods of modern warfare than any other that has come to our notice. Except in the writings of Olive Schreiner, we do not know where the strange bare scenery of veldt and kopje has been so impressively and sympathetically described; and the contrast between Captain March Phillipps' account of a battle—say the battle of Graspan—and that of the ordinary "special correspondent" is as the difference between a true picture and a confused daub. The book reflects the freshness and spontaneity of one who was not thinking what to say but saying what he thought. In its descriptions of the physical features of the country, the nights and days, the halts and the advances, the soldier's life and character, the sound and sight of the murderous projectiles which civilisation has invented, the fighting and the farm-burning, it contains passages which seem to us to compare favourably with anything that has been published for some time past.

The horrors of war stand out none the less sternly in this book because its author had no set purpose of narrating them. Such incidental touches as this, for instance, do more to make one realise what warfare means than a volume of denunciation.

"Bodies, still unburied, lay about when I was there. Such odours, such sights! The unimaginable things that the force of shot and shell

can do to poor, soft human flesh. I saw soldiers who had helped to do the work turn from those trenches shaking."

Captain March Phillipps' plain and unadorned account of the principle and process of farm-burning is an indictment of the "methods of barbarism" that might shame even the most hardened supporter of jingo policy.

"I do not gather that any special reason or cause is alleged or proved against the farms burnt. . . . Any way, we find that one reason or another generally covers pretty nearly every farm we come to, and so to save trouble we burn the lot without inquiry."

"I had to go myself the other day to burn a farm near the line of march. . . . The worst moment is when you first come to the house. The people thought we had called for refreshments, and one of the women went to get milk. Then we had to tell them that we had come to burn the place down. I simply didn't know which way to look."

We should think few Englishmen (worth the name) know "which way to look" when they read what is done on their behalf. Here is what Captain March Phillipps has to say of our new invention, lyddite.

"As for this horrible contrivance, all that I can say is that the Geneva Conference ought to interdict it. The effects of an explosion of a lyddite shell are as follows:—Any one within 50 yards is obliterated, blown clean away. From 50 to 100 yards they are killed by the force of the concussion of the air. From 100 to 150 yards they are killed by the fumes or poisonous gases which the shell exhales. From 150 to 200 they are not killed, but knocked senseless, and their skin is turned to a brilliant green colour. From 200 to 250 they are so dazed and stupefied as to be incapable of action, and, generally speaking, after that anyone in the district or neighbourhood of the shock is 'never the same man again.' This is no mere rumour, for I have had it direct from the naval gunners themselves."

There is a chapter in the book on "The Justification of the War," which seems to us, rightly considered, to be about the most trenchant *condemnation* of the war that has yet been made public. Captain March Phillipps, speaking from personal knowledge, scouts the idea of the outlanders' supposed "grievances" and the mythical Dutch "conspiracy." His justification is based wholly on the need of a "United South Africa." But here, of course, he is on very precarious ground, for the question arises. How can a country best be united—by violent means or pacific?

And those readers who study their penultimate chapter of the book, on "The Situation," dated eight months later than the "Justification," will see that Captain March Phillipps' views had undergone considerable change during the interval. "You cannot torture and terrorise men like these into submission" is the note on which he concludes.

And that, written in December, 1900, is beginning to be faintly realised by a disillusioned public in 1902.

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*Recent Object-Lessons in Penal Science.* By A. R. WHITEWAY, M.A. (Swan Sonnenschein & Co. 1902. 3s. 6d. net.)

The best we can say of this work is that there are humane sentiments to be found here and there in its pages, which prove that the humanising of the prison system is "in the air." For Mr. Whiteway is not one of those men of large sympathies and prophetic instincts who act as pioneers in social movements; he is a follower, not a leader of thought, and the progressive tendencies of his book may be taken as a proof that the labours of more earnest prison-reformers have not been in vain. For the rest of it, we cannot say that Mr. Whiteway's remarks on penal science leave any definite impression on the mind. Possessed evidently of considerable knowledge of the subject, he seems to have no clear purpose in view which could justify the writing of the book, nor does his literary style at all compensate for his lack of principle and enthusiasm.

It is strange that a literary man should not realise the futility of trying to enliven his chapters by the repetition of aged anecdotes and threadbare quotations. On the first page we have the story of the child who "observed, almost with tears, when contemplating the picture, *Christianos ad leones*, 'Why, there is a poor lion that has not got a Christian!'" If anyone could deserve to be given to lions (which, as humanitarians, we are bound to deny), it would be the writer who brings forward that hackneyed infant once more. Again, on page 33, we are treated to what Mr. Whiteway apparently considers a spicy bit of anecdote—the stale old joke about the French sportsman who "when taxed with being about to shoot at a pheasant running, protested that he was only waiting till it stopped." What must be the mental state of people who can deliberately print these antiquities once again? And there are



even worse things in Mr. Whiteway's book, for—unfortunately for his readers—he is under the impression that familiar tags of Latin quotations are a desirable adjunct of style, and he accordingly tries our patience with various old scraps and fragments which should have been decently buried years ago. Nor does he even take the trouble to quote them right, as may be seen from his use of such grammatical enormities as "*Descensus Averno*" (*sic*) and "*Vixere fortes ante Agamemnon*" (*sic*) which, were he still a schoolboy, might put him in danger of receiving that form of castigation to which, in spite of his humane professions, he would subject the youthful offender.

But here we are not speaking quite correctly, for we regret to say that it is the "cat" with which Mr. Whiteway would punish juvenile crime :—

"Crimes of violence in young persons," he says, in a foolish passage which is as discreditable to his head as to his heart, "might sometimes be punished by the judicious use of the cat. Nothing else has been shown to act so well as a deterrent in such-like cases. If, instead of sending lads of eighteen or nineteen years to five years' penal servitude for robbery with violence, they were sentenced to six months' imprisonment and to undergo twelve strokes of the cat every other month, and then to be under efficacious yet not meddlesome police supervision for, say, two years, they would dislike it more than the longer punishment, and less damage would be done to them physically, mentally, and morally."

We venture to think that this monstrous suggestion is worthy of a permanent record in flagellomaniac literature.

We are amused to see that Mr. Whiteway, who is intensely respectable, not to say official, in his leanings, maintains a dignified ignorance of the humanitarian agitation which during the past ten or twelve years has been the chief motive power in prison reform. He has heard of the Romilly Society, which in our opinion "goes too far"; but he does not stoop to any acquaintance with the Humanitarian League. The "proper" humanitarian treatment of prisoners (whatever that may be) has, he thinks, been brought into disrepute "by the action of sundry self-seeking agitators," who assert that our prison system often sends men mad. The term "self-seeking," as here applied, is truly entertaining. We can assure Mr. Whiteway that if, instead of devoting himself to the arm-chair production of trimming books on the subject of penology, he would give a year's, a month's, a

week's work to doing some *real* service in the cause of prison reform—that is, to the task of agitation against any of the barbarisms of the present system, such as the gallows, the lash, the solitary cell—he would very quickly discover that, whatever may be the faults of the agitators so engaged, they are certainly not “self-seeking.” No more thankless and unpopular work can be found in the kingdom to-day than that of upholding the rights of “criminals.” To make “copy” out of the subject is one thing; to agitate on it is another. To which is the term “self-seeking” more appropriately applied?

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*“Prosperous” British India: a Revelation from Official Records.*  
By WILLIAM DIGBY, C.I.E. (Mr. T. Fisher Unwin, Paternoster Square. 12s. 6d.)

Mr. Digby is a well-known authority on India, and has done a very great service to India and England alike by his attempts to draw public attention to the terrible economic conditions of the Indian people, which are rapidly making inevitable a catastrophe on a still vaster scale than what we have already witnessed. It is a shocking proof of the torpor, moral and intellectual, by which the English people seems at present to be obsessed, that a book like this, which teems with quite unanswerable facts of the most serious import, should meet with no official recognition except a few sneers from the so-called “statesmen” who control the destiny of our Indian Empire. It is impossible to suppose that the supercilious gentlemen who sit at the India Office are really unaware of the calamity towards which they are complacently drifting; and their attitude seems to be best described by some words of the pessimist poet in his “City of Dreadful Night”:

“They are most rational and yet insane:  
An outward madness not to be controlled;  
A perfect reason in the central brain,  
Which has no power, but sitteth wan and cold,  
And sees the madness, and foresees as plainly  
The ruin in its path, and trieth vainly  
To cheat itself refusing to behold.”

That is the spirit which alone prevents Mr. Digby's warnings from receiving the attention they demand.

*The Psychology of Jingoism.* By J. A. HOBSON, M.A. (Mr. Grant Richards. London, 1901.)

The sordid and brutal phenomenon which we call "Jingoism" has never been subjected to so keen, merciless, and withal humorous an analysis as in this admirable book of Mr. Hobson's; and if it were possible for unreasoning prejudice to be cured by reason, there would be good grounds for hoping that Jingoism would succumb to this well-ordered attack. Unfortunately, we know by experience that the bastard form of patriotism which consists in hating other nationalities is quite impervious to reason, humour, or common sense, so that its disappearance can only be looked for with the gradual growth of a more enlightened and intellectual spirit. Nevertheless Mr. Hobson's book is a most timely and valuable addition to humane literature, and we cordially commend it to our readers for study and circulation.

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*John Howard.* By EDGAR C. S. GIBSON. With 12 illustrations. (Messrs. Methuen, 36, Essex Street, W.C. 3s. 6d.)

An excellent biography of the well-known prison reformer.

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*Plain Talk in Psalm and Parable.* By ERNEST CROSBY. (Mr. F. R. Henderson, 26, Paternoster Square. Third edition. 1s.)

A new and cheap edition of a very remarkable and original book.

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*Lord Dunchester, or the end of Dr. Thorne: an Autobiography.* Edited by Lieut.-General PHELPS. (Swan Sonnenschein and Co., Paternoster Square. 2s. 6d.)

An anti-vaccination story, told in the form of an autobiography.

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*East and West.* (Laidlaw Building, Bombay.)

This excellent monthly magazine, which was started in November last, is devoted, as its name implies, to the discussion of social questions that affect India and England alike.

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*Failures of Vegetarianism.* By EUSTACE H. MILES, M.A. (Swan Sonnenschein & Co. 1902.)

So far from proving that vegetarianism has failed, the very fact of the appearance of this book seems to us to demonstrate that vegetarianism has been a very remarkable success. For we look



at the question in this way—What can have induced a responsible firm of publishers to lend their name to so poorly written a book as the one now under review? We can only imagine that Paternoster Square has become convinced that there is a considerable amount of public interest in vegetarianism; and this is a solid tribute to the labours of vegetarians during the past decade. Mr. Miles's little go-cart, in fact, has been hitched to the vegetarian waggon; and having himself totally failed to interest the public in his own presentation of what he calls "the simpler foods," he now writes in grandiloquent style of the failures of vegetarianism—much as if the fly on the wheel should denounce the slowness of the rotation.

The error which underlies nearly all Mr. Miles's talk about the "failures" of vegetarianism is this. He sees that the progress of the movement is exceedingly slow, and jumps to the conclusion that this slowness is peculiar to vegetarianism and due to the mistakes made by the vegetarians themselves—which mistakes he accordingly proceeds to rectify. But if Mr. Miles had had any considerable experience of propagandist work, he would know that the mistakes made by reformers, numerous though such mistakes may be, are not the main cause of the long and weary postponement of success. The main cause lies in the unwillingness of the average mind to accept new ideas—a fact which is just as notable in other reforms as in vegetarianism. It does not in the least follow that because you have an invincible argument, and present it without a flaw, you will soon convert your opponents; though, of course, you will never convert them unless you do so present it. We are not saying that vegetarians have not made many mistakes, or that their case might not have been much better put forward; what we are saying is that the mere fact of the unwillingness of the public to adopt vegetarianism is no proof at all of such mistakes having been made, and that it is childish to suppose that by changing the name of "vegetarianism" to something else (which is Mr. Miles's pet suggestion) we should in any way reconcile a carnivorous public to a fleshless diet. Foolish as the public is, it is not quite so simple as *that*. The reason why the majority of people reject vegetarianism is because they *like* flesh food and are determined to have it.

We hold no brief for the vegetarians, who are well able to look after their own interests, but we must say that it would be an act of sheer folly to give up the name "vegetarian" unless a better

name could be found. It is, of course, true that the name has certain drawbacks, though these, we think, are much exaggerated by Mr. Miles. But the name is now an established one—it holds the field—and it is at least incumbent on those who would discard it to produce something more suitable. Mr. Miles, “to show that the task is not beyond common human intelligence,” asks vegetarians to contrast with their name these two alternative titles :—

“(1) MAGNUS.

- “ M for Milk and milk-products.
- A for Apples and other fruits.
- G for Grains and grain-products.
- N for Nuts and nut-products.
- V for Vegetables.
- S for Salads; or, better still, for Stimulants, to be avoided as far as shall be feasible.

“(2) P.U.R.E.

- “ P for Proteid-containing.
- U for Unstimulating.
- R for Respecting higher life.
- E for Economical.”

It is to be regretted that Mr. Miles has not the saving sense of humour which would have withheld him from penning these terrible absurdities, which appear to us to be not *beyond* but *below* “common human intelligence.” If anything were calculated to perpetuate the name “vegetarian,” it would be the exhibition of alternatives so fatally puerile as those quoted above.

We have no space, and anyhow it would not be our business, to follow Mr. Miles in all the charges which he brings against the vegetarian movement. One defect, which alone renders his criticisms almost worthless, is that he nowhere gives chapter and verse for the opinions and sayings which he attributes to vegetarians. Yet he should know that the first rule of fair controversy is to give a clear reference to the authorities challenged. *Who* are the vegetarians whom he represents as committing themselves to all sorts of stupid and dogmatic utterances? If they are responsible leaders, why are we not informed where their words are to be found? If they are not responsible leaders, but merely the novices and nobodies who fill the correspondence columns of journals, what is the use or sense of referring to them?

We gather from the book that in one respect only has the failure of vegetarianism been complete—and that is its failure to adopt the many suggestions offered it by Mr. Eustace H. Miles.

## NOTES AND CORRESPONDENCE.

### SHELLEY AS HUMANITARIAN.

It will be remembered by our readers that in his lecture on "Shelley as a Pioneer of Humanitarianism," published in *THE HUMANE REVIEW*, Mr. Salt referred to the misunderstanding of Shelley's principles apparent in an article contributed to the *Daily News* by Mr. G. K. Chesterton. This criticism had the effect of drawing another and very interesting article from Mr. Chesterton (*Daily News*, February 4th), from which we quote some passages:—

"Mr. Salt's article is devoted to the proposition that Shelley was not only a wholly miraculous idealistic poet, but was also a lucid, definite, and, one might even say, a scientific philosopher of humanitarianism; and the objection brought against my article is that; I represented Shelley as a poet of the nameless beauties of existence, with whom it is 'impossible either to agree or disagree.' Now, when I made this apparently unfortunate remark I was referring to Shelley as a poet, and of Shelley as a poet I venture to think the remark is not only true, but complimentary in a very high degree. There are certain things in life so large and so fundamental that one cannot even contemplate them; so essential that one cannot even praise them; so true that one cannot even agree with them. No one agrees with the air in his lungs or the blood in his veins, or the sunlight that strikes his head; no one gives a testimonial to his daily bread as he would give it to a patent medicine. . . . It is impossible to disagree with a great poet. Similarly, and indeed, consequently, it is impossible to agree with him. Mr. Salt wishes me to believe that Shelley was a pioneer; it is my sin that I preferred to regard him as a poet."



After arguing that Shelley's attitude towards kings and priests was "contemptuous, and therefore blind," Mr. Chesterton continued as follows :—

"At this present time an enormous number of silly objections are brought against what is called humanitarianism, the chief of which is the general notion that humanitarianism is some kind of emotional weakness. This, of course, is simply a failure to realise the real meaning of strength. Strength increases with breadth, not with narrowness, and this is as true of a man's views as of his shoulders. In proportion as a man becomes strong his imagination will tend to include other lives, to feel for the torture of the far-off martyr, and for the fall of the sparrow. The strong man will realise the histories of a million varying creatures. For what fuller definition of the fullness of life could be conceived than to live a thousand different lives in the space of three score years and ten? The Nietzsche philosophy of blind self-assertion involves not only stupidity but weakness; for certainly, if the measure of superiority be indifference to the appeals of others, then the saints and the poet come lowest in the scale, the tiger above them, the shark above that, the butterfly above the shark, and the cabbage highest of them all. Increase of vitality means increase of imagination, increase of imagination means increase of humanitarianism. The Buddhist has had a hundred incarnations ranging from the serpent to the prophet in the course of the rolling ages, but the humanitarian has a hundred simultaneous incarnations. . . . This is the vast, nameless, and thoroughly true humanitarianism which was expressed by Shelley in his poetry. In his prose, as quoted by Mr. Salt, he seems to me to express that which is the clinging curse and continual temptation of humanitarianism. The temptation of humanitarianism is to cease to be human in the effort to be humane. True humanitarianism is sympathy with all human beings; false humanitarianism is sympathy with those particular human beings whom you choose to regard as oppressed or deserving of sympathy."

The following letter was addressed by Mr. Salt to the *Daily News*, but was not inserted :—

"After the inspiring balloon-trip to which Mr. Chesterton has treated me in the *Daily News*, and the magnanimity with which he has lifted me, in that skyward tendency of his, far above the plane of mere controversy in which I was bold enough to engage him, to his poetic realm of cloudy metaphysics and glittering paradox, I fear it must seem rather ungrateful, now we are on *terra firma* again, to do so prosaic a thing as to recall him to the point of discussion. Yet the point is this—not whether Shelley the poet is greater than Shelley the pioneer, but whether poet and pioneer were so blended in Shelley that it is impossible fully to appreciate him in either character alone. Mr. Chesterton, in

his passion for antithesis, seems to think that we have to choose between one and the other, and that while *he* 'prefers to regard Shelley as a poet,' *I* wish him to be regarded as a pioneer. I must disclaim any preference at all. My contention is that Shelley was poet and pioneer in one.

"Again, I think that Mr. Chesterton's contrast between 'human' and 'humane' is misleading. To be truly human, a man must be (in so far as his nature prompts him) humane; for humaneness is the essential quality of humankind. Greatly as I value the beautiful things which Mr. Chesterton has said of humanitarianism, I must dissent from his assertion that 'true humanitarianism is sympathy with all human beings; false humanitarianism is sympathy with those particular human beings whom you choose to regard as oppressed or deserving of sympathy.' Mr. Chesterton has himself contradicted his own definition by saying that the true humanitarianism will feel 'for the torture of the far-off martyr and for the fall of the sparrow.' But why more for the tortured martyr than for the bigot who tortures him? Why more for the fallen sparrow than for the pot-house sportsman who 'drops' him as he flutters up from the trap? Why should Mr. Chesterton, on his own theory, 'choose to regard' the martyr and the sparrow as specially deserving of sympathy?

"I of course agree with Mr. Chesterton that no real humanitarian can feel hatred or contempt for any fellow-being as such; and I am sure that he has misunderstood Shelley in that respect, for it was not kings, but kingship, that Shelley hated. In like manner it is not the vivisector or the sportsman, but vivisection and sport—not the person but the practice—that humanitarians should detest. But to say that while we ought to sympathise with all sentient beings in general, we ought not to sympathise with any in particular, seems to me to sacrifice clearness of thought to crispness of speech. Mr. Chesterton has told us what the temptation of humanitarianism is. I will be equally candid, and tell him what is the temptation of the brilliant writer. It is to sell his soul for an epigram. I trust Mr. Chesterton will avoid that catastrophe, for we are hoping to enlist his great abilities in the humanitarian cause."

---

#### "FACTS ABOUT FLOGGING."

The article on this subject which appeared in the January number of *THE HUMANE REVIEW* has been re-issued as a pamphlet by the Humanitarian League, and has been widely noticed in the press. We have received the following very interesting and



important letter from a barrister of high standing who signs himself "X."

"The excellent article, 'Facts about Flogging,' tempts me to contribute one 'fact' within my own knowledge, illustrative of the absolutely maniacal longing of some judicial advocates of the lash to apply it in cases and under circumstances never contemplated (I imagine) by many who helped to disgrace our statute book by including in it the so-called 'Garotting Act.' It was at the Assizes in a midland town, some time before the retirement of a certain judge who presided thereat, that a big gipsy-like fellow was put in the dock on a charge of robbery. The facts against him were briefly these: He and others of the same vagabond habits—tramps, tinkers, hawkers, etc.—were disporting themselves on a country road-side one fine summer day, when a question arose as to the ways and means of procuring some beer. A little elderly man of the party, a hawker of small wares, was thought to have some money about him, and was invited to 'fork out.' He reluctantly handed over threepence, as the whole of the money in his possession, but this was doubted, and with a view to clearing up the point the big gipsy held him up by the legs and shook him, with the result that some few more coppers fell out on the ground. After some chaffing, and in consequence of his protests and complaints, this money was handed back to him, and only the original threepence retained. Just then a policeman appeared on the scene and learning what had taken place insisted upon taking the gipsy into custody. At the trial at the Assizes the prisoner (admitting all the facts, as above shortly given) declared that the whole thing was mere fun and rough play, and protested that there was no intention to rob or hurt the old man. This contention seemed to be somewhat borne out by the return of the money, and by the fact that the old man was really not injured personally in any way. Still, under the judge's severe summing up, the man was found guilty, and the judge—treating the case as one of 'robbery with violence' within the meaning of the Act—ordered prisoner three months' hard labour and thirty lashes with the cat—a most monstrous and brutal sentence, for (at worst) mere technical 'robbery' and technical 'violence,' and such as no judge possessed of a reasonable and healthy mind would have passed.

I believe there is really a diseased condition of mind which may be correctly designated as 'flogging mania.' I once saw two blackguards flogged in Newgate, and I thought thereafter that it would be a good and wholesome rule to lay down that every such flogging should be witnessed by the judge who ordered it, as it would certainly serve at least to check any too great tendency to pass such sentences, and would go far to stopping them altogether. But later experience and observation satisfied me that, however effective this plan might be with healthy minds, it might serve as mere encouragement and pleasure to the



maniacs in question. I came to know of at least one judge to whom (I strongly suspected) the spectacle of the laceration of living flesh with a 'cat,' and the howling of the tortured victim, would be one of real gratification and delight."

---

### "CAIN."

Nothing that has recently been published in THE HUMANE REVIEW has aroused more interest and discussion than Mr. Ernest Crosby's very striking and original poem "Cain," which formed the subject of a sermon delivered at Unity Church, Gateshead, by that earnest humanitarian worker, the Rev. Arthur Harvie. After dwelling upon the writer's treatment of the old story and his interpretation of the character of Cain, the preacher urged that the question of our relations to the animals was vital and religious. Just as at one time the opponents of the practice of slavery found the conventional religion of the day entirely indifferent to the question which was pressing so heavily for settlement, so professedly religious people of to-day refused to consider the ethics of our relationship to the sub-human creation as in any sense part of religion. Those who dared proclaim from the pulpit ideas which pointed in the direction of a more humane method of obtaining food and clothing were warned that they were introducing secular matters into sacred places. He said that before this century is closed, the question of our relation to our "little brothers and sisters" will have become a crucial one all through the religious world, and he ventured to prophecy that the time was not so very far off when to have any lot or share in the slaughter-house and all its concomitant horrors would be as impossible for those who called themselves Christians, as it was now for them to buy and sell their fellow-men. Violence, as the poet said, will not yield to violence; this was the lesson of Jesus and of the mighty teachers of other lands and other ages, this was the lesson that nations and individuals alike were being made to learn. "Come let us fight it out"—that was the voice of the tiger-nature. "Come let us reason together"—there was the word of the God within.

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II.—By opposing the enactment of all new laws which violate the said principle.

III.—By promoting such amendments of the law and its administration as are necessary for giving practical effect to that principle.

IV.—By watching over the execution of the laws so as to guard the maintenance of that principle in so far as it has already received legislative sanction and to show the evil results of its violation when laws or administrative methods are carried out in disregard of it.

V.—By spreading among the people a knowledge of the rights and liberties to which they are or ought to be legally entitled, and of the moral grounds on which those legal rights and liberties are founded.

\* \* \* SUBSCRIPTIONS and DONATIONS are earnestly requested, and should be made payable to the Hon. Treasurer, Mr. HENRY WILSON, M.A.



# THE HUMANE REVIEW.

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## WAGNER AS PIONEER.

IT is a curious fact that no great man has been less understood than Richard Wagner, although no one has taken greater pains to make himself clear. One aspect of his colossal genius has been taken up and done to death; the rest is scarcely dreamt of by the mass of the public. One finds him classed in books among the great musicians; he is never named among the poets, although he has an equal right to be there also; for in Wagner is to be found not only the dramatic poet and fully developed musician, but also the reformer, philosopher, humanitarian, and, above all, the mystic. His disregard for worldly fame, his indomitable will, and his deep consciousness of a mission to fulfil for the benefit of his fellowmen, are marks of the true-souled artist. In a word, he was that rare phenomenon, a complete human being, *humane* in the fullest sense of the term.

It must be emphatically stated at the outset that the keynote of Wagner's life was selflessness. He has been called an egotist, because he talked much of, and explained himself in connection with his Art. But the impersonal way in which he has done this is extraordinary. He stands apart from himself, as though he were another person and records his faults and faculties with equal frankness and indifference.

In this alone he has rendered humanity a great service—greater perhaps than we can yet realise. A sympathetic study of the life and prose writings of this great genius will prove the truth of these statements: and is it not Goethe who says that “as of actions, so of books; unless we speak of them with affectionate sympathy, with a certain enthusiastic partiality, there remains so little of them that it is not worth mentioning”?

Richard Wagner saw the future and worked for it. He was a practical mystic, a combination which has been called “the most formidable and terrible of all combinations,” for the reason that such an one wields an extraordinary and almost invincible power. Yet to claim perfection for him would be not only unreasonable but untrue.

In all that has been written of Wagner as man, nothing strikes so sympathetic a note or displays such a deep understanding of the true springs of his nature—written as it was by one who knew and loved him—as C. F. Glasenapp's “Richard Wagner as Man.”\* He particularly emphasises “the patience, the gentleness, and the forbearance of this great man,” and records also his unbounded compassion. In *Richard Wagner und die Thierwelt* (quoted by Glasenapp) Hans von Wolzogen speaks of his fellow-feeling for animals in pain, even as a child, and in his early youth. He relates that at the age of fifteen or sixteen, Wagner was one day taken out to hunt hares. Like his companions he had shot more than once, not knowing, through his inexperience, whether or no he had killed the game he saw. During *déjeuner* on the grass, which followed the hunt, a wounded hare came straying quite close to the merry company, and the dying eyes of the animal caught the young man's look. Wagner tells, even in his old age, of the profound impression which this made on him. He could not rid himself of the idea that it was he who had sacrificed this innocent life to satisfy a brutal and savage

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\* This sketch appeared in the *Meister* (then the journal of the London Branch of the Wagner Society) for 1892.

instinct. Since then he had never been able to touch a gun; and Kufferath says that he was himself all his life the compassionate being he imagined as the hero of his last work, *Parsifal*.

Glaserapp also mentions a charming sketch, drawn by Wagner's friend the artist, Ernst Kietz, more than fifty years ago, showing the boy of seven years in the act of shielding his younger sister from the rawness of the weather. "An earnest, eloquent symbol," he remarks, "of Wagner's constant readiness to share what he possessed with those in need"; and in the *Nibelungen*-essay Wagner lauds the old Aryan warriors, that with them it was not the possession that gave the man his rank, but the man that ennobled the possession:—"Wherefore an immoderate portion of this world's goods was deemed by them a shameful thing," he writes, "and he to whom it had fallen, quickly shared it out to others."

With such ideals, is it any wonder that Richard Wagner should have been misunderstood, and consequently traduced by all save the very few? That he was ever ready to share his last crust with one poorer than himself is shown by a beautiful little incident in the time of his hardship in Paris. His last coin had been paid away to buy his breakfast, when an ailing German artisan, "lost in the jungle of unfriendly Paris," knocked at his door, and straightway "the beggar is invited to the meal." So, too, he writes later to Liszt during the time of the composition of *Tristan*: "My work has become dearer to me than ever . . . it flows like a healing river from my soul. In all my relations to the suffering world, I feel led and guided by one thing alone—compassion. If I only give myself thereto without reserve, then all my private woes are overcome." And there are hundreds of instances in which he is found sharing, not only his last meal, but his last coin, and lending or giving money to those worse off than himself. As Glaserapp says, "It was the same wellspring of relief that ever brought him solace," that exercise of compassion. But it was especially the labouring classes for whom Wagner kept an



open heart, the "artisan, who makes all our useful things, and derives, himself, therefrom so proportionately small a use"; the poor "hungry and frozen." He was an implacable enemy to vivisection and its horrible abuses, as his *Letter on Vivisection* proves. His love for animals, and deep sympathy with their sufferings, could hardly fail to lead him to pour out the vials of his righteous wrath upon those who subjected them to deliberate torture. He tell us (in this same "Letter") that:—

"Who needs another motive for the protection of an animal from wilfully protracted sufferings, than that of pure humanity,\* can never have felt a genuine right to stop another man's beast-torture. Everyone who revolts at the sight of an animal's torment, is prompted solely by compassion; and he who joins with others to protect dumb animals, is moved by naught save pity, of its very nature entirely indifferent to all calculations of utility or the reverse. But, that we have not the courage to set our only motive, this of Pity, in the forefront of our appeals and admonitions to the Folk, is the curse of our civilisation. . . . Our creed is: 'Animals are useful; particularly if, trusting in our sanctuary, they yield themselves into our hands. Come let us therefore make of them what we deem good for human use; we have the right to martyr a thousand faithful dogs the whole day long, if we can thereby help one human creature to the cannibal well-being of five hundred swine.'

"Our horror at the consequences of this maxim, however, could not attain its true expression until we had been more precisely informed of the scandals of the scientific torture-chamber, which now at last have driven us to the question: How is our broader relation to animals to be made a moral one and easing to the conscience, since we can find no essential support in our churchly dogmas? The wisdom of the Brahmins, nay, of every cultured pagan race, is lost to us; with the disowning of our true relation to the beasts, we see an animalised—in the worst sense—and more than animalised, a devilised world before us. There is not a truth to which, in our self-seeking and self-interest, we are not ready to shut our eyes even when able to perceive it: herein consists our civilisation."

Strong words, these, but words which must find an echo in the heart of everyone whose eyes are not blinded by the false glare and glitter of our much vaunted, but withal hopelessly materialistic civilisation. And then, in the

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\* "Mitleid," Compassion or Pity.

following passage, Wagner puts his finger upon the crux of the whole question :—

“As we have used dumb beasts not merely for our sustenance and service, but to show us in their art-dealt sufferings what we ourselves may haply lack, when, cankered by unnatural modes of life, excess and vice of every kind, our body is seized at last with sickness—we now might fitly use them for improvement of our morals, ay, in many respects for our self-discipline, as Nature's never-lying witnesses. . . . From the suffering and death of beasts we well might win a measure for the higher dignity of man, who is capable of taking sorrow as his most fruitful lesson, and death as a transfiguring atonement, whereas the beast must always smart and die without an object to itself. We despise the man who does not bear his tale of suffering stoutly, who falls into a quaking fear of death: but it is for him our physiologists vivisect animals, inoculate them with the poison he has bred through vice, and cunningly protract their torments to learn how long they haply might defend the wretch from his last agony!”

In all this we get a plain setting forth of the profound *moral* issues underlying the whole problem; issues frankly shirked by nearly all who attempt to deal with the question. Wagner's courageously expressed and deeply-held ideas can only be paralleled by such an attitude as that of Mr. Herbert Spencer's towards war, and his recent utterances thereon. Much more might fitly be quoted from this powerful and eloquent “Letter,” which is to be found in Volume VI. of the “Prose Works” (page 195), so admirably translated by Mr. W. Ashton Ellis.\*

Now it cannot be too clearly stated that Wagner regarded the present condition of culture and civilisation as a condition of decadence. This view (the recognition of this state of decadence), as he himself says, “is not new, for every great mind has been led by it; ask the truly great poets of all times; ask the founders of truthful religions.” He traces what he calls the *Revolution*—or more truly the Evolution of *Slavery* in the modern world—from the time of the downfall of the great Greek Art-Work. In “Art and Revolution,” after speaking at some length of the Grecian State and its Art-Work, he says :—

“ . . . . It was of his [the Greek's] very nature that, whenever

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\* I use this translation throughout.—A. L. C.

he fell upon the necessity of manual toil, he should find out its artistic side, and straightway raise it to an Art. But the drudgery of household labour he thrust away—to *slaves*. This slave thus became the fateful hinge of the whole destiny of the world. The slave, by sheer reason of the assumed necessity of his slavery, has exposed the null and fleeting nature of all the strength and beauty of exclusive Grecian manhood, and has shown to all time that *Beauty and Strength, as attributes of public life, can then alone prove lasting blessings, when they are the common gifts of all mankind.*

"Unhappily, things have not as yet advanced beyond the mere demonstration. In fact, the Revolution of the human race, that has lasted now two thousand years, has been almost exclusively in the spirit of Reaction. It has dragged down the fair, free man to itself, to slavery; the slave has not become a free man, but the free man a slave. . . . This historical sin, however, was destined soon to be avenged upon the free Greek himself. Where there lived among the nations no feeling of *absolute human love*, the Barbarian needed only to subjugate the Greek: and all was over with Grecian freedom, strength and beauty. Thus, in deep humiliation, two hundred million men, huddled in helpless confusion in the Roman Empire, too soon found out that—when *all men cannot be free alike and happy*—all men must *suffer alike as slaves.*

"Thus we are slaves until this very day, with but the sorry consolation of knowing that we are all slaves together . . . as the struggle for freedom from the general slavery proclaimed itself in Roman and mediæval times as the reaching after absolute dominion: so it comes to light to-day as the greed for gold. And we must not be astonished, if even Art grasps after gold; for everything strives to its freedom, towards its god,—and our god is Gold, our religion the pursuit of wealth. Yet Art remains in its essence what it ever was; we have only to say that it is not present in our modern public system."

Both this essay and the "Art-Work of the Future" were published in 1849, and a careful study of both will repay any earnest student who would gain a thorough knowledge of the fundamental principles upon which Wagner's great Art-Work was built up. Thirty years later, in 1880, he again takes up this theme of degeneration, in connection with certain reforms then being attempted in Germany, in his essay "Religion and Art." He gives therein his maturer views upon questions of vital import to the human race, and of special interest to humanitarians. I allude to Vegetarianism, Temperance, the Prevention of Cruelty to Animals, and Peace (as opposed to War). He speaks of a



"great regenerative ideal" in which the various societies, founded for the purpose of carrying out the reforms advocated under the above-mentioned heads, should unite.

"Were it possible that, in the midst of a civilisation whose guiding principle is the fullest evaluation of Egoism, we could hope for such a union wherein the tendency of each of three groups, so powerless in their present separation, should have full scope, then were the hope also of regaining a true religion no less justified. That which appeared to the founders of all these associations merely as the logical dictate of prudence, is really built, although but partly perceived by themselves, upon a foundation which we scruple not to call that of a religious sense. Even below the muttered complaints of the toiler, who works at every object of utility, only to derive the smallest modicum of use therefrom himself, there lies a recognition of the deep moral shortcoming of our civilisation, whose champions can in truth only reply in shameful sophisms."

In line with the deep insight into the real causes of human misery and suffering which gives such vital importance to his "Letter on Vivisection," is the fragment left us of what was intended as a "Conclusion" to his essay on "Religion and Art," and which was commenced only two days before his death in Venice. It might fitly be called the Master's "last words" to his fellow men. It reveals Wagner as one of the truest champions of womanhood that it is possible to imagine; womanhood in the deepest sense of the word. With his usual fearlessness in dealing with such vital questions, he there exposes the true nature of what in religious parlance is commonly called the "Curse."

He thus writes:—

"In all the treatises on the fall of human races, with which I am acquainted, I find but incidental notice given to the character of the marriage-bond and its influence upon the attributes of the species. . . . If we pause for a moment's deep reflection, we might easily be terrified by the boundless vista opened out by the thought (that) no blaze of orders can hide the withered heart whose halting beat betrays its issue from a union pledged without the seal of love, be it never so consanguineous. . . . If it is marriage that raises man so far above the animal world, to highest evolution of his moral faculties, it is the abuse of marriage, for quite other ends, that is the ground of our decline below the beasts.

" Having thus been brought with almost startling swiftness face to face with the sin that has dogged the progress of our civilisation,\* excluding us from those advantages which the beasts retain still undisfigured in their propagation, we may consider ourselves as having also reached the moral gist of our problem . . . . Love's loyalty: Marriage; here dwells Man's power over Nature, and divine we call it. 'Tis the fashioner of all noble races. Their emergence from the backward lower races might easily be explained by the prevalence of monogamy over polygamy; it is certain that the noblest white race is monogamic at its first appearance in saga and history, but marches toward its downfall through polygamy with the races which it conquers. This question of polygamy *versus* monogamy thus brings us to the contact of the purely-human with the ever-natural. Superior minds have called polygamy the more natural state, and the monogamic union a perpetual defiance of Nature. Undoubtedly, polygamous tribes stand nearer to the state of Nature, and, provided no disturbing mixtures intervene, thereby preserve their purity of type with the same success as Nature keeps her breeds of beasts unchanged. Only, a remarkable individuality the polygamous can not beget, save under influence of the ideal canon of monogamy; a force which sometimes exerts its power, through passionate affection and love's loyalty, in the very harems of the Orientals. It is here that the woman herself is raised above the natural law of sex, to which, in the belief of even the wisest lawgivers, she remained bound." . . . .

And now to pass on to Wagner's idea of "Regeneration"—to be accomplished through art; for he aspired after a regenerated humanity crowned by a regenerated art. In the essays already mentioned he goes very fully into the causes which occasioned the downfall of Greek Tragedy, and shows how with the Greeks "the *tragic poet* joined the bond of speech" to all the "rich elements of spontaneous art, the harvest of the fairest and most human life, and concentrating them all into one focus, brought forth the highest conceivable form of art—the DRAMA."

According to Wagner true art possesses such a dignity that we may find the highest instruction even in its ruins.

\* This is the real essence of the Curse attached to the Ring welded out of the Rhinegold, in *Der Ring des Nibelungen*, which Wagner thus explains:—

"Moreover the power that works for evil, the real bane of [*i.e.*, that poisons] Love, condenses itself into [*i.e.*, is symbolised by] the *Gold* robbed from Nature and misused, the *Nibelung's ring*: the curse that cleaves thereto is not dispelled ere it is given again to Nature, the Gold plunged back into the Rhine."

They teach us, not how to make works of art, but *how to fashion our lives*. For from the influence of true art alone does he hope for the incentive to come for the regeneration of the human race. Therefore the soil from which this true art alone can spring has to be provided; but life and art, he says, are, with us, two quite different things. Human Society must be thoroughly reconstructed, and this can only be done with the aid of art—*which must not be separated from religion*. Art must be inspired with new creative breath and that again can only be drawn from life. "In this life of the future," he says, "art will be that which to-day it can only long to be, and not really be; but life will become all that it can ever hope to be *only* by receiving art into its bosom."

Had the race undergone harmonious development ever since the time of the Greek tragedies, as Mr. Houston Stewart Chamberlain points out, it would be impossible to conceive of life as inartistic, or of art continuing to vegetate independently of life. But now the great revolution of mankind (already alluded to) has so widened the breach between life and art, that the mere thought of their being connected together generally appears absurd, and but provokes a smile.

For any adequate comprehension of Wagner's doctrine of regeneration, a separation into three points of view, the material, the metaphysical, and the religious, is absolutely essential. The whole scheme is most admirably dealt with by Mr. Chamberlain in his "Richard Wagner." The teaching is extraordinarily complete and embraces the three realms connoted by the terms Body, Soul and Spirit; *Art* is the bond of connection between them all. To quote Mr. Chamberlain:—"Its *form* is material, of the material or empirical world; its *substance* transcendent, of the transcendent or metaphysical world; and its *interpretation* mystic, of the mystic or religious world; and these three worlds are reflected in the mind of the artistic genius himself."

As to the first, the material, the principal thing, according to Wagner, is the food. We must abstain from meat and alcoholic drinks. But this view he only arrived at in later life, when he had become convinced that the adoption of a



vegetable diet was "the key-stone of regeneration." In the other two realms, the abstract philosophical and the religious, Wagner's firm belief in the fundamental purity and holiness of human nature is the determining factor. But he calls our world of to-day "the wilderness of a blighted Paradise." His unconquerable hope and faith for the future lay in the Community—the "Folk"—and in the triumphant power of Love (in its widest sense). "Man's sorest need to-day," he tells us over and over again, is "the need of love—love to fellow men." But he adds, "man can only gain the stilling of his life-need through *Giving*; through *giving of himself* to other men, and in its highest climax, to *all the world of human beings*."

Wagner carried on Schopenhauer's thought; for he tells us that "from Schopenhauer's own demonstrations of the depravity of the world I obtained the first incentive to my meditations on a possible redemption of this same world." The very basis of his specifically religious belief lies "*in the recognition of the moral significance of the world, which is the crowning point of all knowledge*." His entire doctrine of regeneration is but the application of this belief. Nowhere, however, does he preach a "return to Nature," but "*the oneness of man with Nature*" raised to an acknowledged law.

It must be expressly pointed out that there is an immense difference between all materialistic beliefs in the future and Wagner's essentially religious optimism; for he believes in destinies of the human race which lie "beyond all time and all space." This is all he cares for, says Chamberlain. Now these three realms, or points of view, of which I have spoken, are to become *conscious* of their oneness in the world of Art. "It is the business of Art," says Wagner, "to indicate to the social impulse (for free human dignity) its noblest significance, to direct it in the right path." For Art possesses the magic power of showing man to himself, and herewith pointing the way to regeneration. So early as 1867 he wrote:—

"When we enter a theatre, we have before us, if only we will seriously look into it, a frightful and profound possibility either of the

basest or the highest. In church the better self may summon itself to fervent devotion; here in the theatre the whole man is set face to face with himself, with at once his lowest and his noblest feelings naked before him. It is with shrinking and fear that the greatest poets have approached this frightful abyss. . . . If it is possible that, in our transmogrified modern life, a theatre might arise which should be in harmony with the inner spirit of its culture, as the Greek theatre was with the Greek religion, then Art would again reach the source at which the Greek people were nurtured. . . ."

Somewhere, too, Wagner calls Art the living representative of Religion.\* He tells us that it is his only real language. If he wrote much, it was because he had to fight hindrances from without and from within. He had a new artistic ideal before him, and had to first establish the "laws of perspective" of this new Art before his genius could move freely within it. *To prepare the soil* in which his Art could grow he had to become an author. He disliked theory in Art and wrote such exhaustive essays as "The Art-Work of the Future" and "Opera and Drama" because this was the only means he had for making way for his new conception of the drama. His artistic creation was bound up with all human interests; religion, society, and philosophy. In short, his dramas present in an orderly succession of phases the "Tragedy of the Soul," culminating in that embodiment of sympathy and compassion which he has given us in "Parsifal," who is virtually his ideal King. Only under such a King could he imagine a free and happy people. In this sense, and in this only, was he in favour of kingship; and on that point he differed radically from his co-revolutionists of 1849.

We may gather, then, that Wagner's ideals were lofty; for what indeed is the secret of the haunting beauty and mystery of his music? This, that it is *part* of a great Art-Work, embodying and expressing great ideals; an Art-Work

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\* This article does not, of course, deal with Wagner's Art-Work *per se*. His peculiar work as Pioneer in the realm of Dramatic Art is sufficiently recognised by all students. It may be summarised as a life-work dedicated to restoring the Drama to its ancient and honoured place as teacher of the people (the "Folk"); *religious* in the deepest sense of the word.

which comes to us glowing with regenerating life, beauty, and energy, straight from the heart of the great Master, and which we can only truly realise and understand through sympathetic insight; through that love which, as he incessantly reminded us, is the "life-need" of our present humanity. Richard Wagner lived but for the cause of that *regenerated* humanity which with prophetic vision he foresaw; he was, in truth, as few have ever been, one of those great immortals who, to quote a modern writer, "translate for us the secret of Life that is for ever whispered in our ears, summoning us to enter the hall of everlasting youth, bidding us unbar the door of our present divinity, pointing the path to unconquerable power, revealing to mortal man the secret of man the immortal." He stands for all time as one who forever challenges us to make true for ourselves the dreams we have dreamed of God.

ALICE LEIGHTON CLEATHER



## IMPRISONMENT FOR DEBT.

THERE is a popular belief that imprisonment for debt has been abolished in England and Ireland; but a complete abolition was never contemplated by the framers of the Statutes. The fourth Section of The Debtors' Act, 1869,\* commences, "*With the exceptions hereinafter mentioned* no person shall be arrested or imprisoned for making default in payment of a sum of money," and then follow six exceptions, two of which have been somewhat modified by subsequent legislation. But the fifth Section goes further. It enables "any Court to commit to prison for a term not exceeding six weeks, or until payment of the sum due, any person who makes default in payment of any debt, or instalment of any debt due from him in pursuance of any order or judgment" of a Court. Then follow certain restrictions on this wholesale power of imprisonment, of which the most material is that the jurisdiction shall only be exercised when it is "proved to the satisfaction of the Court" that the person making default, "*either has or has had since the date of the order or judgment the means to pay*" the sum in question, but has failed to do so. It is thus necessary to prove that the debtor either has or has had means to pay, and as this proof may lead to six weeks' imprisonment (involving probably the loss of his employment and his means of livelihood) one would expect this requisite to be proved strictly; but the

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\* The corresponding Irish Act was passed in 1872.

statutory provision is merely "Proof of the means of the person making default may be given in such manner as the Court thinks just;" and I am informed that the proof is usually made by affidavit. I am not aware whether a copy of this affidavit has to be served on the debtor. The debtor at all events is not required to be present when his sentence is passed, and there are instances in which he has been arrested on a sick bed or immediately on leaving it. A provision follows enabling the Court to order the debt to be paid by instalments. As the debtor may be sent to prison for six weeks for non-payment of any instalment, the effect of this provision is obvious. There may be fifty instalments and the debtor may be sent to prison fifty times for non-payment of the same debt. The Statute is silent as to the costs of these proceedings, but the practice is to order the debtor to pay them, and to refuse to release him from prison unless he pays the costs in addition to the debt—the Statute requiring him as a condition of release to pay "the *prescribed* costs, *if any*." It is further provided that imprisonment under this Act shall not operate as any discharge of the debt. In this respect imprisonment for non-payment of a debt differs from imprisonment for non-payment of a fine. When the imprisonment has been served, the fine is at an end. Not so the debt. And it will be noticed that there is no limit to the smallness of the debt which the creditor may enforce by imprisonment. In a recent case it was stated that the amount was nine shillings. Small sums of this kind are multiplied many times by the costs.

The practice as regards making these orders is not perhaps quite uniform, but as regards an instalment order the late Chief Baron Kelly laid down that there was no necessity to prove that the debtor had the means of paying the instalments in order to obtain an instalment order, and that it was sufficient to prove that he had the means of paying when applying for a committal. And even at the committal stage the proof of means often falls considerably short of what would be required in a Criminal Court, if that element were essential to a crime. Thus in one instance it consisted in showing

that the debtor dressed well and lived like a gentleman. He swore that he was merely supported by his wife, but the order was made, and probably the wife paid the debt to save him from imprisonment. A case in the Court of Appeal, however, carried this question of proof of means still further. Lord Esher in delivering the judgment of the Court said :—

“ I wholly reject the argument that if the debtor had not the means of paying the whole sum which he was ordered to pay, though he has had the means of paying a part of it, the Court has no jurisdiction under Section 5 of the Debtors' Act. He is bound to pay each pound of the sum which he is ordered to pay, and if he neglects to pay any part of it which he is able to pay, he makes default in obeying the order, and the Court has jurisdiction under Section 5 to deal with that default.”

Another peculiarity of the procedure may here be noticed. The creditor having got his order of committal need not execute it at once. He can hold it hanging over the debtor's head for an indefinite time, trying how much he can extract from the debtor or his friends as the consideration for not executing it—finally “ running the debtor in ” if he can do no better. Of course the debtor may be utterly unable to pay a farthing when thus arrested. His ability, such as it was, may have ceased months previously.\*

We have been told—and some Judges have countenanced the statement—that the man is not imprisoned for debt, but for dishonesty. This is not the fact. The Statute is divided into parts : Part I. being headed “ Abolition of Imprisonment for Debt,” and Part II. “ Punishment of Fraudulent Debtors.” Section 5 of the Act, on which I have been commenting, is included in Part I. as an exception to, or qualification of, the Abolition of Imprisonment for Debt. Obtaining credit by fraud is made a crime by Part II., but it is dealt with in a totally different manner. The prisoner must be convicted in the usual way by a Criminal Court and can be sentenced to imprisonment for not more than a

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\* When the order relates to a small debt due by a working man, the plan seems to be to arrest him when leaving work on Saturday afternoon with his week's wages in his pocket. He can probably pay no other debt and has to live on credit for the following week.



year, with or without hard labour, but not terminable by payment of the debt. The Act does not regard the imprisoned debtor as a criminal, though in many respects he is worse treated than if he were so. Nor does the Act provide that no person shall be imprisoned for debt unless he has been guilty of dishonesty. I pass over the unsatisfactory modes of proof adopted, and the absence of any provision for having what these reasoners regard as a criminal charge satisfactorily established. I will suppose it to be placed beyond doubt that the debtor could have paid the entire debt after judgment was marked against him. Does non-payment prove dishonesty? Suppose the judgment to be for £20, and that it is proved that after it was marked somebody paid the debtor £30. The latter's baker was threatening to stop the bread if he did not pay up. The gas company was threatening to cut off the light, his landlord was threatening to distrain, and his servants were clamouring for their wages. So the debtor pays away the £30 among them, and gives nothing to the judgment creditor. Is this dishonest? The Court which has marked a judgment or issued an order on behalf of a particular creditor treats him as entitled to a preference over other creditors, until bankruptcy or something else intervenes to deprive him of his priority. But surely there is no dishonesty in failing to recognise this factitious priority—not to mention that the entire £30 may have been expended in paying other judgment creditors, one of whom may have issued execution on foot of his judgment. It is utterly impossible to infer dishonesty from non-payment without a full examination of the debtor's dealings. If he paid what he earned or received in discharge of claims which he regarded as more pressing or more meritorious, he was not dishonest.

But we are told that in the great majority of cases in which committal orders were made they were not executed; from which it is inferred that the debtor had the money and paid it when the order was procured. This does not follow. First, some relative or friend may have paid the money in order to save the debtor from the prison and his family from

the workhouse;\* secondly, the debtor may have borrowed the money at such a rate of interest that the discharge of the present debt has increased his liabilities; thirdly, the creditor may have accepted a part of the money, and fourthly he may have found the case so hopeless as to deter him from incurring the further expense involved in arrest. Where the money is paid by some friend or relative the State gains nothing by the transaction. The man who pays the money owes nothing to the creditor. It is for the interest of the State that contracts should be fulfilled and debts paid provided that this is done by the person liable; but the State has no interest in inducing C to pay a debt due by B to A. The money is probably quite as useful to the State in the pocket of C and in that of A. In fact C is acting as if A were a brigand who had captured B and demanded a ransom. Should the State place him in this position?

But if some 124,000 committal orders were not enforced, against 4,600 which were enforced, in a single year, the natural inference is that debtors make desperate efforts to avoid imprisonment and that almost all who went to prison were wholly unable to pay. Here then we have in one year 4,000 utterly insolvent persons imprisoned for debt (at the expense of the public) upon evidence of ability to pay which no Criminal Court would accept as satisfactory; and with these 4,000 imprisonments it would seem that the Home Secretary has no power to interfere, because the prisoners were not convicted of any crime which the King could pardon.

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\* In the case of *Stonor v. Fowle* the late Lord Bramwell made the following remarks, evidently adopting the views of the County Court Judge referred to:—  
“A learned County Court Judge once told me that he used at first to make orders of committal for a short time, and he found that the people went to prison. He then lengthened the period and found that fewer people went to prison, and he found that the longer the period for which he committed people to prison for not paying the shorter was the total amount of imprisonment suffered by debtors, because when they were committed for the whole six weeks, they moved heaven and earth *among their friends* to get the money and pay; whereas if the term was a short one they underwent the punishment.”  
Neither Lord Bramwell nor the County Court Judge evidently felt any qualm of conscience about extracting the debt from persons who did not owe it.

Supposing the ground of these committals to be dishonesty, our mode of dealing with these cases of dishonesty is wholly unjustifiable. If a man picks my pocket and is convicted of that offence, it is not left for me to decide whether he is to be imprisoned or not, nor will his imprisonment cease as soon as he returns me the stolen articles. Dishonesty is a crime. The public is interested in punishing criminals in order to protect the people against future crimes. But as regards these committal orders, the State never seeks to punish the alleged criminal. It becomes a mere debt-collecting agency. Its sole object is to reimburse the creditor. That being done—whether by the debtor or somebody else—it rests satisfied. The dishonesty, if any, is condoned. Is this a fair or reasonable method of dealing with crimes by the State? But the fact is that the man is not imprisoned for dishonesty but for debt. The creditor has only to make out a *prima facie* case that the debt (or part of it) can be recovered by the threat of imprisonment, and the order will usually go.

That the law favours the rich more than the poor must be admitted in almost all departments, but as regards imprisonment for debt it is specially true. Where the action is brought against a working man for a small sum, if he employed a solicitor to prove that he had not the necessary means, the mere fact of his being able to employ a solicitor would be relied on as disproving his case. Probably he cannot leave his work to attend himself and—against solicitors and affidavits on the other side—the defence is conducted by his wife. In Mr. R. Barry O'Brien's "Life of Lord Russell of Killowen," I find (pp. 106-7) an account by a County Court Judge, whose name is not given, of a visit paid by Sir Charles Russell to his Court during an interval of leisure at an Assize town. "Among the applicants were the wives of debtors applying for the suspension of the orders of payment or commitment made against their husbands. Wife after wife entered the box, with shawls over their heads and babes in their arms, and detailed with more or less truth, the destitution in which they were.



In a very few minutes Russell was greatly moved and would exclaim: 'Poor creature! poor creature!' And when one wandered a good deal and perhaps evaded a little the questions which it was my duty to ask, he would break in with 'Now listen, ma'am, to what the Judge says, and pray give an answer immediately.'" The Judge evidently describes scenes of this kind as part of the ordinary routine of his Court, and some of the applicants as being destitute, though he had no doubt before him the usual affidavits as to the sufficiency of their means. A man with a good deal of assets, though his liabilities may be still larger, is never driven to such shifts as these, and in general he can escape all risk of imprisonment for debt by becoming a bankrupt. It has been alleged by some persons that the poor man (in England, not Ireland) can similarly become bankrupt under Section 122 of the Bankruptcy Act of 1883. But the provisions are by no means identical with those of ordinary bankruptcy. The poor man may be ordered to pay the whole or any part of his debts by instalments to be enforced by imprisonment, and the making of the order is to be deemed proof of ability to pay unless the debtor establishes the contrary—a strange provision if the imprisonment is really for crime, not debt. And, moreover, the County Court Judge may, if he thinks fit, allow a committal order to be enforced, although the debtor has availed himself of the provisions of Section 122; but although the County Court Judge can imprison the debtor or enable creditors to do so, I cannot find that he has any power to grant a discharge. In fact the provisions of the Section are more remarkable for their departures from those of ordinary bankruptcy than for their agreements.

But it is said that our credit system cannot be maintained without imprisonment for debt, and that in every system of imprisonment a few innocent persons must suffer. The fact is that our credit system is unduly inflated and requires to be retrenched. Reckless giving of credit is one of the main causes of bankruptcy, and a bankrupt's discharge has, I believe, often been deferred on account of the extent to

which it has been carried. The amount of bad debts returned as due by many bankrupts is rather startling. Why should any business man give credit (at least for more than a pound or two) to a person who has no tangible assets and of whose honesty he is not assured? Why should he not say, "You must pay for what you buy in future, or else you must get some solvent man to go security for you"? If this course were adopted there would be no need to resort to imprisonment for debt. Our credit system survived the Debtors Act of 1869. It survived the Bankruptcy Act of 1883, on the 122nd section of which so much stress has been laid by some persons; and it would no doubt survive—and probably survive in an improved form—the total abolition of imprisonment for debt. There can be no doubt that some traders, especially those who have newly started, give credit recklessly with a view of extending their business. This course, unless their capital is large, soon involves them in difficulties. To satisfy their creditors they must try to enforce payment from their debtors, and every method which the law permits is resorted to for this purpose. Another class of traders or lenders give credit, well knowing the risk, which they seek to provide against by exorbitant charges. Imprisonment is their main resource. With that threat held over him, the debtor, however poor, may beg, borrow (perhaps from the pawnbroker), or steal enough to pay. And if hard swearing will suffice to obtain a commitment order, it is not likely to be wanting.

Let me add that persons on the verge of bankruptcy sometimes submit to instalment orders because they still hope to stave off the evil day, whereas if the real facts were revealed to the Court, bankruptcy would become inevitable. Costs of obtaining an instalment order and even a committal order have been proved against estates of bankrupts which proved insufficient to pay five shillings in the pound.

We have heard much from the Flagellationists of the indelible disgrace and contamination of imprisonment, and of how much better it is for a boy (some would add for a girl) to be flayed than to be imprisoned. Do those who

propound these theories in the public prints ever reflect that we expose 4,000 or 5,000 persons to this disgrace and contamination every year, not for any crime, but simply for debt? We send them to ordinary prisons to associate with criminals, instead of to the special prisons which were formerly provided for debtors. I lately read of a poor woman suffering from cancer who was rudely seized and carried off to prison, under a commitment order, when the entire amount that she had in her possession for the support of herself and her family was sixpence! The arrest came on her as a complete surprise, but I assume that the usual affidavit of service was duly sworn and filed—and what more could any Judge require than an affidavit? The Home Secretary has under the Act of 1898 lately added labour to imprisonment for debt in the hope of thereby rendering it a more effectual agency for the collection of debts! And some correspondents have added that flogging would render it still more effectual! I would suggest hanging, if the only object is to collect debts at the expense of the community. There are very few instances in which if a man were to be hanged for non-payment of five pounds the money would not be raised by an appeal to the charitable public or by some other method. Some relative would steal it, and stand the usual penalty for stealing, if no other means of procuring it were available; and thus the creditor would be satisfied! But, "Pay the creditor and let everything else go to the devil," is a principle that will hardly obtain as extensive currency as *Fiat justitia ruat cælum*, and there is another legal axiom that is not quite inapposite to the present subject—*suminum jus est summa injuria*.

APPELLANT.



## THE ETHICS OF SPORT.

AT what period in the world's history man began to kill beast, bird and fish, we cannot say, but weapons of the chase—spear-heads, arrow-heads, and barbed harpoons—used by the river drift men and cave men, as well as hunting scenes carved by the latter on bone and ivory have been found; hence it appears that hunting was practised in very early times. In fact hunting, fowling and fishing were in those days the chief means of procuring food, for not yet had man learnt to domesticate animals, or to till the ground, and, even when he had reached the higher levels of the pastoral and agricultural stages of civilization, wild animals were still killed for food. Another object, that these pre-historic men had in what we now call sport, was the destruction of fierce animals that threatened their lives or injured their property. No doubt these savage races took a keen delight in the excitement of the chase, and the man who showed himself most daring and skilful was regarded as a hero by his tribe.

The causes however which naturally led to the pursuit of game in those primæval days have long since ceased to operate in civilized countries, and although the flesh of creatures slain by the sportsman is still in many cases eaten, yet they are not killed by the sportsman for the sake of food, and although the natives of an Indian village may at times go forth to hunt and slaughter the man-eating tiger that has carried off the young and infirm from the village, yet when

Europeans go out in quest of big game, as it is called, their object is not to rid the foreign land of noxious beasts, but to enjoy the excitement, to obtain trophies of their skill, and to gain admiration for their prowess, though in most cases little real danger is incurred and little courage shown in lion and tiger hunting. That the destruction of animals because they are dangerous to human life is not the object of the European sportsman is shown by the fact that he seeks them out for slaughter in regions far removed from human habitation, where they could therefore do no harm to man. And to come nearer home it is evident that the English hunter does not desire to exterminate the wild animal that sometimes works havoc in the poultry-yard, for he protects and encourages the fox to breed in order that it may afford sport, and the farmer, who to defend his hen-roosts from its depredations shoots the marauder, is held in the most utter contempt by the sporting confraternity. It is necessary to point this out clearly because there are some persons who fancy that fox-hunting has for its main object the destruction of a mischievous animal, whereas were it not for fox-hunting the fox would, like the wolf, have become extinct in England long ago. But if the real object were to destroy the fox because of the injury it does, the turning of the process of its destruction into an amusement could not be justified, and moreover more speedy and less painful modes of death than hunting it might be devised.

The growing sense of humanity has already put an end to some of the more cruel and revolting forms of sport in which our ancestors delighted, bears and bulls are no longer baited, cock-fighting is a thing of the past, the school master is no longer expected to provide a cock on Shrove Tuesday for his pupils to torture to death, nor does the Eton butcher give a sheep to be beaten to death with clubs in Weston's Yard. The better class of sportsmen moreover set their faces against some other forms of sport which are still, or were recently indulged in, such as the hunting of tame deer, the shooting of birds set free from traps, and the coursing of rabbits let out of bags. These sports are still legal, and are so far in favour



with the law-makers of our country that when the Bishop of Hereford recently brought in a bill to prohibit them he met with little support from his fellow peers, although in addition to the cruelty they involve, some of them labour under the further objection of being chiefly maintained for betting purposes. These forms of sport will not be dealt with in the present article, but only those of which all sportsmen approve, viz., fox hunting and shooting, for if it can be shown that these so-called legitimate sports are contrary to the dictates of humanity then, *a fortiori*, those other sports, which are not approved of by many sportsmen, must be condemned.

Rather more than thirty years ago the morality of hunting was debated in the pages of the *Fortnightly Review* by two distinguished writers, the historian, E. A. Freeman, and Anthony Trollope, the novelist. Mr. Freeman's article, Mr. Trollope's reply, and Mr. Freeman's rejoinder, have been recently reprinted, with added notes by Mr. R. K. Gage, of Trinity College, Cambridge. Most candid readers will agree with Mr. Gage's conclusion "that the former [Professor Freeman] has in theory, at any rate, immeasurably the stronger case," although as humanitarians we cannot endorse all the concessions that the Professor makes. He admits that it is perfectly lawful to kill animals for food, or when they threaten our lives, or damage our property, or interfere with our convenience, or when we kill them for purposes of science or study, though he adds that killing for scientific objects is especially liable to degenerate into killing and even torturing out of mere wantonness. He would not, he says, scruple to ride a horse to death if there were no other way to save human life or relieve human suffering, and would not scruple at a large sacrifice of inferior animal life to secure the comfort of a dog or a horse. Humanitarians would hardly go with him in many of these statements, although the majority of them would not scruple to rub insect-destroying powder into the coat of a dog tormented by parasites. It is difficult to draw a hard and fast line between cases in which it is lawful and those in which it is unlawful to take life, but fortunately for the



writer of this article there is no such line needed in regard to blood sports. Sport claims the right to kill, regardless of any pain suffered by the victims, simply because it conduces to the amusement of human beings ; but the defender of sport as soon as the humanitarian condemns his pastime begins to bring in a number of alleged collateral advantages that attend hunting or shooting. His arguments, however, are mere sophistry intended to lead the discussion away from the main line into side issues, but since they are so constantly brought forward it is incumbent on any opponent of sport to deal with them.

It is said that riding across country after a fox is a healthy recreation, affording exercise to a great number of persons belonging to various grades of society, that it thus brings together, on an equal footing for the time being, those who would not otherwise meet, and encourages social intercourse between the squire, the parson, the farmer, and also between the females members of their families ; that it gives skill in riding, encourages daring, and develops those qualities that are of use in time of war ; that were it not for hunting the breed of horses would rapidly degenerate ; that were not the landowner induced by sport to spend much of his time at his country house he would seek amusement in town life or foreign travel, so that his estates and those that live on them would suffer ; finally, that sport gives employment to a large number of boys and men, engaged in stables, kennels, and in game preserving, and therefore must be of great benefit to the country.

We would not wish to deny that out-door exercise is a good thing for health ; that it is well that the landlord should live among his tenants ; that the mixing of various classes in some common pursuit tends, theoretically at least, to break down social barriers, and that men should be employed at good wages in the country, so that they may not abandon the villages for towns, and so swell the already overstocked class of the unemployed. All this may be granted, and yet if blood sports are cruel they are wrong, and no beneficial results to which they lead can justify them. The pursuit of

them would then be doing evil that good may come. But although at first sight we may admit off-hand that the results of sport detailed above are beneficial, a little consideration may lead us to doubt if the supposed advantages derived from it are so great, if indeed some of them are advantages at all. To train a man for war is not an unmixed benefit, war is itself an evil, and the training which fits a man for war also begets in him a taste for it. The excitement of the fox hunt leads him to enjoy the far more exciting Boer hunt, he gets to be callous to the sufferings of the hunted fox, and so grows callous also to the sufferings of the victim when it is a human, not a sub-human being. Sport, it is true, gives employment not only to those permanently employed as huntsmen, grooms, and gamekeepers, but also to many who earn an occasional day's pay at a higher rate than a labourer would get, as beaters; and besides these there are many hangers-on who are constantly on the look out for gratuities for small services rendered. All these men are wholly or partially fed and clothed by means of sport—surely that is a good thing. We much doubt it. It is a common fallacy to suppose that the mere spending of money on the part of those who can afford it, must be beneficial to the community by diminishing the number of the unemployed; much depends on the character of the employment for which the money is paid. There are occupations which tend to elevate the soul, develop the mind, that give some touch of refinement that induce a love of art and beauty in those engaged in them; money spent in encouraging such occupations is well spent. Then again there are other occupations which, though they do not as a rule, under modern conditions, give scope for intellectual development, are yet useful, there are walls to be built, cloth to be woven, bread to be baked; money spent in giving such employment is not thrown away, it is productive, and the workman has the satisfaction of knowing that he earns his wages by work that is of use to other men, and so can take a pride in it. But on the other hand there are occupations that cannot but degrade those engaged in them. The work connected with the slaughtering of cattle

and the subsequent preparation of their dead bodies for the market cannot but blunt the finer feelings of the men and women employed in it, and much of the work connected with sport has the same tendency. The sportsman who shoots the driven pheasant may be so intent upon his aim and so eager to prove his skill that he forgets for the time that the bird has any feeling—it is but a moving target in his eyes—but the beater who drives the bird is engaged in cold-blooded, cowardly work. For the sake of a few shillings innocent, inoffensive, timid creatures are driven to their doom by his hideous yells and beating of the bushes with his stick: while thus engaged the beater must lose all sense of tenderness and pity, and must be morally the worse for his day's work. It sometimes falls to our lot to meet a party of beaters returning home after a "big shoot," and their appearance is such that we feel an instinctive repulsion and a desire to avoid them as one would avoid a gang of convicts. Sport is responsible for the manufacture of a most undesirable type of character, loafers, idlers, men who having got into the habit of earning money without hard work, shrink from an honest day's toil, and when employment by sportsmen fails, take to poaching as a means of providing themselves with food. The money spent by sportsmen might, if it were otherwise employed, add considerably to the attractiveness of village life. From these considerations it will be seen that some of the advantages claimed for sport are illusory. Outdoor exercise may also be had without giving pain to living creatures.

That blood sports are cruel cannot be denied. By cruelty we mean the infliction of pain which is not calculated to benefit the creature actually suffering it. No one can truly assert that the fox or game bird is benefited by being hunted or shot; an attempt is often made to show that fox and pheasant do reap an advantage from sport, for it is said that if the fox were not preserved in order that it might be hunted it would long ago have become extinct in England, so that every fox now living owes its life, and that, until the last run, a happy and comfortable one, to the love of



Englishmen for hunting ; that if the sportsman shoots the pheasant at last, he has reared it, fed it, and protected it from its natural enemies, so that it owes its life and preservation to him. But it is hard to say whether life with such conditions attached is a boon or not ; the fox cannot be asked his opinion ; we can ask ourselves whether we would rather not have existed at all, or have life granted to us on the condition of having it at last painfully taken from us, and although the idea of non-existence is a hard one to grasp we think that most men would prefer it to a life ending with torture. If we were *sure* that death for men and foxes alike were only a passage into a higher happier life we might modify our answer ; but everything beyond death is so uncertain, so vague, that we are not justified in taking it into account in considering such a matter as the one now under discussion. If we argue that life beyond death must be put into the balance, when weighing the comparative advantages of non-existence or painful life in this world, then those who produce most life are the greatest benefactors of their race, and so-called imprudent early marriages, and the bringing into the world of children in greater numbers than the parents can support cannot be condemned, since though the bodies of the children may perish from want, yet the imprudent parents have given them life, never to end in another stage of existence, and therefore have increased the sum total of human happiness. We have said above that there is no cruelty in causing pain when that pain ensures countervailing benefits to the creature that suffers it ; but a distinction must be drawn in the order in point of time of the suffering and advantage. The infliction of pain ceases to be cruel only when it leads or tends to lead directly to *subsequent* benefit, and is caused with that object in view. This is not so in the case with the fox ; the sportsman only as it were pays him beforehand in pleasure for pain to come, and from the very nature of the case the fox is not free to accept or refuse the conditions.

But to pass from effects of hunting upon the fox to its effects upon those who follow the hounds, we cannot but

think that those who are parties to the infliction of pain, condoning cruelty as they do, suffer in character. We are quite ready to admit that many men, otherwise humane, gifted with great virtues, have been devotees to sport, but we consider that the virtues they show have been theirs in spite of their love for sport, and are not due to it, and that had they not been sportsmen they would have been better men and women. It is often said that the chief enjoyment of hunting is due to the excitement of the chase, the swift motion, the grand jumps over hedges and ditches, in watching the dogs, and in the general gaiety of the scene. Mr. Trollope, in his arguments in favour of sport, dwells strongly on the fact that only a few of those who follow the hounds actually see the end of the hunt, the breaking up of the fox, the death of the poor spent beast that for the last hour has given them the exciting run; for them it has been full of enjoyment, but what has it been for their victim? There are some who in praise of sport assert that the fox enjoys it, but this is pure assumption on their part, and it is almost certain that the time during which the fox is being pursued is one of mental agony to him; he finds the wiles by which he hopes to escape frustrated and the dogs getting nearer and nearer, and as he becomes utterly exhausted all hope of escape taken away—then comes the physical pain of being torn to pieces.

Many of those who have followed would not care to see the end; even if they were in at the death, they would turn away their eyes just as they would if any surgical operation were being performed in their presence, and yet, if they think, they must know that the pain is not less to the animal because they do not look upon it; in fact they are too cowardly to look at the results of their conduct, they cannot endure to hurt their own feelings by just seeing the suffering, but they do not mind the fox being hurt by having it inflicted on him. It is said that the death of the fox is only an incident in the day's sport, that a good run in which the fox ultimately escapes gives as much enjoyment as one that ends with his death. If this were the general feeling, then we

should never hear of foxes that have run to earth being dug out of their holes, and if all the charm is in the exercise, why is it that two appeals lately made by the Humanitarian League to the Head Master of Eton College, and to the Admiralty urging the substitution of a drag hunt for the hunting of hares with the Eton and Britannia Beagles, have met with no success. The reply of the Head Master of Eton, who was appealed to on the ground of his being a member of the Windsor branch of the Royal Society for the Prevention of Cruelty to Animals, is worth notice; he detests cruelty, but does not consider the hunting of wild animals (the wild animal in the case in question being a timid hare) to be cruelty or demoralising to the young, though he regrets that such terms as "breaking up of hares" and "blooding of hounds" should have been used in the *Eton College Chronicle*. The boys under his care it seems may imitate their elders in killing the animals, but must not use the same words in describing their work that their elders make use of. We think the refusal to entertain the moderate suggestions of the Humanitarian League shows that an animal to be tortured or killed is considered to be as indispensable to a hunt as the character of Hamlet to the play that bears his name.

The treachery of sport is one of its worst features, the rearing of game-birds and feeding them by hand, so that they grow up as tame as barn-door fowls, losing all their natural fear of humans, until at last one October day they are harried by shouts from their quiet homes in the plantation to fall victims to the gun.

Well may Mr. Thomas Hardy put the following words into the mouths of the "Puzzled Game Birds":—

"They are not those who used to feed us  
When we were young—they cannot be—  
These shapes that now bereave and bleed us?  
They are not those who used to feed us  
For would they not fair terms concede us?  
—If hearts can house such treachery  
They are not those who used to feed us  
When we were young—they cannot be!"



Sport causes incidentally much cruelty and wanton destruction of life of creatures other than those hunted or shot. The game-preserved regards all living things that interfere with his sport as worthy of death, the gamekeeper soon learns his lesson, and ruthlessly, and often cruelly, destroys beast and bird, the pole trap and the gun do their deadly work, owls, jays, cats perish, classed under the head of "vermin," this designation being considered sufficient reason for their destruction.

We look upon sport as one of the greatest curses of our country. To how many of the leisured class is not sport the be-all and end-all of existence, their conversation is of hunting and shooting and fishing adventures alone, their library seems to contain nothing but books on dogs and horses, with a few sporting novels thrown in for light reading. How can the man whose sole ideal of happiness is a good run or a full bag rise to lofty ideals of life?

The evil influence of sport does not cease with itself; it, like every form of cruelty, is used as an excuse for other forms of cruelty and is itself excused as not being worse than other acts which are done without public reprobation.

"It is not more cruel," says the apologist for shooting, "to shoot a pheasant than to wring the neck of a fowl, to knock over a rabbit on the warren than to pole-axe an ox in the slaughter-house." We cannot say that it is; in fact, if the bird or rabbit is shot dead, it suffers less than the fowl or ox. If shooting were simply resorted to to procure food none but the vegetarian could logically condemn it; but as the idea of procuring food does not enter into the mind of the sportsman, the man that has a joint of beef on his table may logically condemn it, but we may hope that his condemnation of sport as a cruel amusement may lead him to enquire whether he may not be guilty of sanctioning as much cruelty himself, not indeed for the sake of amusement, but for the no more worthy object of gratifying his palate.

Again, what a weapon sport puts into the hand of the vivisector wherewith to justify the infliction of pain on animals in the course of scientific experiment! And yet

many sportsmen are staunch advocates of the anti-vivisection movement, though they cannot see that if vivisection is condemned on account of its cruelty sport cannot be justified. Probably the sum total of suffering caused by vivisectional experiments in England is infinitesimal in comparison with that caused by sport. The sportsman may say to the vivisector: "My object is to kill the animal at once, yours to keep it alive for a time; mine to destroy life by a painless process, yours to torture." To which we should reply that the argument is specious, but not true; of course the man with a gun in his hand likes to bring down his bird at once, not in many cases out of any regard for the feeling of the bird, but as a proof of his own skill, and what we have heard from a friend who at one time found his chief delight in pheasant-shooting, but who has for some years abandoned all forms of sport on humanitarian grounds, leads us to think the pheasant-shooter is not always so careful to avoid the risk of wounding without killing. He told us that a man who never shot at a bird unless it were a safe shot, that is near enough for him to feel confident that he could hit and kill it, was looked upon as actuated by a parsimonious spirit, and was spoken of as one who was afraid of wasting his cartridges. It is the birds that escape for the time more or less severely wounded—and that many do escape there can be no doubt—that suffer most; and if it is said that it is not the *intention* of the sportsman that they should so escape instantaneous death, yet since such accidents are sure to happen, sport must be held responsible. In fox-hunting at any rate, it is not the sportsman's object to kill at once, he is pleased if the fox runs for an hour or more, and if any tender-hearted person, whose path the fox crosses, were to destroy it to put it out of its misery, he would be subject to abuse if not personal violence at the hands of the hunt. The vivisector moreover might say to the sportsman, "You take life often in a painful way for amusement; I do the same for a far more justifiable object—the advance of science and the acquisition of knowledge which may prove of benefit to

living creatures, human and sub-human." The humanitarian who condemns sport as well as vivisection, has no difficulty in replying to the arguments of the vivisector, for he takes his stand upon the broad principle that man is not justified in taking animal life or giving pain to procure such advantage for himself, but as against the apologist of sport who yet condemns vivisection, the vivisector's argument has much force, and we have never yet heard it refuted.

The sportsman sometimes defends his favourite pastime by saying that it is a law of nature that animals should prey upon other animals, and that he simply acts in accordance with that law. That nature is "red in tooth and claw" we cannot deny, but that is no reason why civilized man, who intellectually is creation's crowning work, should voluntarily place himself on a level with his inferiors, and do things which would not be wrong in carnivorous beasts or untaught savages, but yet which would be wrong in him. Promiscuous intercourse is practised by many animals, and some of the lower races of human beings, but the morality of civilized nations condemns it and has instituted strict marriage laws. Because a lion devours the flesh of an antelope, it does not follow that man is justified in eating that of a sheep. The fact that a cat hunts a mouse is no reason for a man hunting a fox. Man's more highly developed intellectual and moral nature should lead him to a higher standard of life than that of the lower ranks of creation. Instead of imitating them he should move upward, working out the beast, and let the ape and tiger within him die.

T. PERKINS.



## ELIZA ANNE.

ELIZA ANNE used to work in an edgetool factory—where they made scythes, hay-knives, sheep-shears, and so forth. She was in the warehouse—a long room with benches to work at, and walls full of shelves and pigeon-holes, and other girls like herself in aprons of sackcloth—and her business was to grease and blue-varnish the finished blades, and to sort, wrap, and range them away. She was one of those good-natured, obliging types which every one knows ; a thin pale-faced anæmic girl of twenty, with splay feet, snub nose, and most indomitably cheerful temperament ; who always had a smile on, or a word of cheer, for the other girls ; or would be ready to do any little job for them, however tired she might seem or really be ; she had in fact almost a passion for this sort of self-sacrifice.

When her work was done she would hurry home to tidy up the house for her mother, and to get ready their dinners for the next day ; for she had to take her own dinner with her in the morning to the shop, and her mother needed to have hers prepared for her beforehand. The two lived together in a back street in a dismal outskirt of the big town. There were bits of waste ground about, and a great refuse heap or “ spoil bank ” from a neighbouring colliery, and their front door looked straight out on a brick wall. And within, the jerry-built brick den was dismal too, with its floor already fallen a couple of inches away from the wall,

and its bits of tumble-down furniture; but Eliza Anne, brisking about, cast a gleam of cheerfulness on it for the old mother. Then, later in the evening, if there was an hour to spare, the girl would go round to the Chapel—for this was the great joy of her life—shrilling hymns there, or listening to the preacher, or after service in the dusk outside kissing the other girls (and sometimes the young men) Good night : a naive and pagan blend of emotions !

The old mother, now a widow, was very queer, and might well have tried a less devoted daughter. She had been “away” at one time—as they termed it; that is, in an asylum; and now, restless and futile, through the house, upstairs into the attic or down into the cellar, or sometimes standing tiptoe on an arm of the old sofa (to reach the top shelf of the cupboard), like some strange distraught animal she roamed—hardly even with all this effort keeping the dwelling in decent order. Eliza Anne would come in—with that tripping, prancing, coster-girl walk of hers, which matched so oddly with her deadly thin, pale face—and would scold in a good-humoured way :—

“Now, mother, what are you a doin’, up on that sofy arm again? You’ll be the death of yoursen, some day—and at your age, too! Come down, I say.”

“Nay, leave me alone—I’m right enew,” mumbled the old lady, in a heedless way, more as if talking to herself.

“And you’ve never even put t’ kettle on—O dear, O dear—and I’m wanting a cup o’ tea that bad; what have you been doin’ wi’ yoursen all t’ afternoon?”

“Nay,” (climbing down and mumbling to herself) “I didn’t know it was so late.”

“And Mr. Henry—that’s our governor’s son, you know—he’s been a-blowin’ round the warehouse this afternoon and a-ratin’ the girls something scandalous, over their work; but he never says nowt to me, you know, ’cos I cook him his chop at dinner-time—and he allus says I do it to a turn—and I fetch him his pint o’ stout—and he keeps friends wi’ me. But there’s going to be a Mission service at t’ Chapel this evening, and Mr. Jackson—he’s a beautiful preacher—

he's going to preach on 'Saving the Heathen,' and I want to go as soon as I've straightened up a bit ;" and Eliza Anne throwing off her jacket and hat, set to to "tidy up" and get the tea ready.

"Nay, thou'rt allus wanting to go to t' Chapel, child, an' I doant see that it does thee no good—an' only gieing thy money away, what we want bad enough at home."

"He that lendeth to the Lord, look, what he layeth out, it shall be paid him again," replied the girl, with a cheerful irresponsible smile on her white face.

The old woman sighed, in a rather meaningless habitual way, and presently the two sat down to their thin meal of white bread, dripping, and tea.

## II.

Warehouse girls do not get very grand wages. The work, as a rule, demands very little in the way of skill or experience. There are plenty of candidates for any vacancy ; girls living at home, as most do, with a father or brothers for bread-winners, are pleased if they can just get pocket-money ; and the lowest that a wage-earner will accept is of course the highest that commercial morality considers itself bound to give. Consequently it follows that the labour of such girls is obtained at a very cheap rate.

As to Eliza Anne, her wage, which had commenced at seven shillings a week, had now risen to ten. Of course it was not really sufficient to keep the household going ; but it never seemed to occur to her that she was underpaid for what she did. Like thousands, and hundreds of thousands of others in the same situation, she accepted the social arrangements under which she lived, as we accept storms, and droughts, and eclipses—as part of the order of Nature, whose inevitableness it does not even occur to us to question.

To make ends meet—and partly out of religion—she had for some time taken to stinting herself. She did not eat nearly enough. And the less she ate the more religious she grew ; and the more religious she grew, the more she thought it her duty to starve herself. So time went on, till at last



the seeds of phthisis were sown. There was a hacking cough, and the pale face became paler and thinner, the snub nose more ethereal.

And as the body grew weaker the brain got more and more excited. She sang hymns to distraction. The work-girls, and even the mother at home, scolded; Mr. Henry complained that her caterwauling turned the stout sour. Rows ensued, and these led to further excitement.

At last her poor brain gave way.

Having heard the Bible read so frequently she concluded that she too was possessed of a devil.

"Where is your soul, mother," she said one day.

"My soul, child, what are you talking about?"

"Well, I s'pose you've got one, haven't you?" said the girl, with an odd gleam in her eye.

"I'm sure I don't know—s'posing I have?"

"Well, it's in your head, isn't it?"

"Nay, how can I tell, child"—and the old lady tapped her skull with her finger in a lost aimless kind of way.

"Well, mine isn't. It's down here" (putting her hand over the lower part of her body) "and the Devil has got on top of it, and is pushing, pushing it down into Hell."

"Doant thou talk such nonsense, Eliza Anne; it's not fit for a body to hear."

"And God will not save it. No—He will never look at me again. For He telled me not to eat so much, and I was tempted and did eat" —

"Be quiet, I tell thee" —

"And He has turned his face from me, and will never never look at me again."

Then the mania became acute. She had to leave her work. It was not safe for her to be at home; and she, too, "went away"—to the Asylum.

### III.

Such tiny items of Humanity—mother and daughter—what interest, it may be asked, can there be in the bare recital of their narrow lives? Yet these, too, are a part of the

great chain which stretches endlessly from the past to the future; and evolution, which by the method of unceasing experiment occasionally produces a great success, a genius, a new development, by exactly the same method is continually turning out these, its countless commonplaces and failures. Why consider the one so much more than the other—since they are all part of the same process, and indicate at bottom the same forces, tendencies, characteristics—the most ill-grown and unshaped product of society, after all only ourselves in another form—a form inevitable under the given conditions—and full of light and meaning if we so understand it.

The mother—though doubtless feeling her daughter's illness—showed little or no sign; but went on as before, very much like some brainless animal, munching her bread and drinking her tea from the ever-stewing pot on the hob, and rambling futile over the house—one or two married sons and daughters supplying meanwhile the little she needed.

As to Eliza Anne, wheeled away in a cab to the great brick barracks they called the Asylum, at first she was moody and recusant of her food; but they forced it on her. Then by degrees the systematic life, the pressure of rules and regulations, and the flow of new people and interests, revived her. She thought it possible she had not sinned so fatally after all. She saw to her great comfort that there were other people as bad, or worse, than herself.

When, after six months, she came out, she was comparatively well again—she had a little flesh on her, a little colour in her cheeks, and she was brisk and energetic, with the same tripping walk as of old. But work in the factory again was naturally not to be obtained.

Instead, therefore, of returning to her mother (who lived, as I said, on the outskirts), she went—in order to earn something—into the busier part of the town, and took a house for herself. It was only a poor street, and infested with children; but she set out to make a living by baking and selling pies and cakes, taking in washing, and doing manifold odd jobs for the neighbours. It was hard work, and not very

remunerative. Ever ready and helpful, in the same innocent open way as of old, she would give any amount of time to minding folks' babies or doing their coarse sewing—nor ever get anything like adequate payment; while the children, finding out her simple unrefusing nature, would frequently come in on their own account to beg pies and bread of her. Her exchequer did not flourish; and at last, as she had a spare room in the house, she put up "Lodgings to Let" in the window.

A few days later, just as she was reaching into the window to fetch out one of the stalest of the buns to make a present of to a pallid urchin who stood beside the counter, the door opened, and in walked a man.

He was a plain, rather common-looking man of about 40—stout and greasy and good-natured looking; and he had a tall hat and a seedy commercial appearance. He saw the transaction, saw that no money passed; then when the boy had gone out of the shop, he said:

"Good-day, ma'am; I see you have lodgings to let."

"What accommodation was it that you were wanting, Sir?"

"Oh, just a bedroom. You see I'm a commercial traveller, and I'm here part of the week—sometimes a whole week at a time—and then away again, just as it happens; and it's expensive going to a hotel, and trade is none so good just now."

"O yes, I understand," said Eliza Anne—her feelings already touched with commiseration—"well, I have just a bedroom to let. It's not very grand, you know, but you shall see it. It's the room over this. There's only that and the attic besides the shop, as it's only a single house," she continued with simple candour, "and I sleep in the attic."

"Your husband is away from home just now, I suppose," said the man.

"I'm not married, Sir," she replied with an open smile, and something resembling a blush on her white face.

"You're like me then," he said.

"And it's for yourself you want the room?"



"Yes—Oh, you'd find me all right. I'm very qu my ways, and domesticated. And I could help you a the house," he added, looking round and taking stock : what of the poor furniture and fittings.

They went and looked at the room, and when came down again it seemed settled that he was to there.

"You know you can always use this room to sit in, said—"it's cosy enough of an evening, here behind counter—well I call it a counter, but it's only a bit of a table which I've covered over," she ran on—"and neigh often come in to sit by the fire and have a chat."

#### IV.

So the commercial came. Sometimes he stayed, had said, a few days, sometimes a week or two. She knew quite where he went or stayed in the intervals. he was good-natured and quiet, and really did a num little things for her in the house, fetched water from pump in the next courtyard, and so forth. Sometime true he got a little drunk ; sometimes he fell behind his rent—but she excused him, knowing that trade w bad. Sometimes he really had not enough to buy his for supper with, and then she would find what she cou him ; sometimes he was a bit flush of money, and th would treat her. They got quite friendly ; and she beg miss him a good deal when he was away for more than or two. So friendly indeed that the neighbours said or less kind things about them both.

So it went on for some months ; and so on still for a or more. Then he began somehow to get rather mor perhaps it was that he was in low spirits. It seemed t that he drank more than before. Then he fell mor more behind with his rent.

One day he came in, towards evening, and threw hi in a depressed way in the tumble-down horsehair arm

"What's the matter, William ? " said Eliza Anne ; seem regular out o' sorts this evening."

"So I am," said he; "I'm down on my luck, and I doubt if I shall ever get up again; and that's the long and short of it."

"You never tell me nothing about your affairs," she said, pleadingly.

"Well, women don't understand these things" (and he sat up a little in his chair)—"but Jones and Willis, them's the firm I travel for, they're not satisfied because I don't bring in enough orders; and so they're just threatening to sack me—and that's the long and short o' *that*—and if they do, why it's Dicky with me."

"It's too bad," said Eliza Anne.

"I've told 'em," continued William, "that trade's slack everywhere, and nothing stirring—but they won't hear nothing. They know well enough it's true, but I reckon they're just looking for an excuse for getting shut on me."

"There's only one chance as I can see—and he glanced at Eliza Anne (but she was looking down) and it's this—there's a Manchester firm what sends us a bit of business now and then; and the manager, he told me only a few days since that he had a large order waiting, but was doubtful where to place it. Of course that was as good as saying that he would place it with me, if I would make it worth his while—but that would mean a couple of pounds at least—and I haven't, honour bright, got more than half-a-crown in my poke at this moment.

"You see, if I could get the order it would set me up with our firm, and very likely I'd get the couple of pounds back afterwards from our governor—only I should have to chance that. What do you say, Eliza Anne, do you think you could lend it me?"—and again he glanced at her.

As she sat there half-turned away from him, there was surely something pathetic in the unusual fulness of her outline, as well as in the pallid face, with which it matched so oddly; but on the common nature of the man this, whatever it might have been, was lost. The only effect produced on him was one of slight annoyance, and of added weariness with the world in general.

There was a pause. Then she said: "Nay, man, I have only them two or three pounds upstairs—three pound ten in all, I believe, what I have been saving for what's to come"—and she coloured a little—"and I couldn't let you have that."

"But if all went right you'd have it back again before it was needed—before the youngster comes, I mean—and, if not, why we might as well put an end to the whole blessed show as live on like this."

They argued and discussed a little. Then the foregone conclusion came. She went upstairs, brought down her little hoard and gave it to him. He said he would take the night train to Manchester, drop in early next day and see the said manager, and probably settle the matter. He would write immediately to relieve her mind. And so he went out into the night.

#### V.

A day or two passed, and no tidings from him. Then a week passed, and still no tidings. Then a terrible depression fastened down upon her. At first, of course, she kept trusting him, that he *would* return. But as the weeks, and then months, went by, and he neither returned nor made any sign, she relapsed completely; all use, all strength seemed gone out of her life. Her brain did not exactly give way, as it had done before, but she settled down by degrees into a kind of hopeless apathetic stupor.

The signs of phthisis however returned—and far more seriously than before—she wasted, and grew deathly thin. [Then the child was born, but died almost immediately.] And then came the news that the old mother, still climbing on to the sofa-arm to the last, had fallen, and hurt herself badly. Eliza Anne went home to nurse her mother; but before long was in bed herself, dying of consumption.

A brief fortnight and the end came. There she lay, in the little attic—(her mother ill in another room)—fearfully emaciated and corpse-like, with pale yellow face, blue under the eyes, the strange odour of death investing her; but

apparently clear-minded, and talking a little from time to time. About the Devil, however, and his persecutions she said nothing—nor about God and his judgments. These two personalities—once so high on her horizon—she seemed somehow to have forgotten. But every now and then, hardly conscious that she was speaking, she hoped that “he” would return.

By the bedside stood two married sisters. They had done all that they could think of, and there they stood in an uncomfortable tearful way, staring at the poor semi-lifeless husk which, like a chrysalis, shook occasionally to the struggles of the departing creature. The breathing grew painfully slow and difficult—so slow that it seemed sometimes that it would not return.

Then it grew slower still. The suspense between-whiles was painful. The common paper on the wall looked so staringly ugly; the window looked out on nothing but the high brick wall across the road; the tumbler stood on her little table by the bedside, but to wet her poor parched lips once again seemed not worth while.

It was a relief when at last the wheezing sound did really not return. The two sisters went away to break the news to the old mother. The window of the ill-aired room was opened a little wider; and one brief phase of human life was finished.

EDWARD CARPENTER.



## A PLEA FOR MERCY TO OFFENDERS.\*

IN these days when superior persons write to instruct us, they frequently use the epithet "humanitarian" to impute weakness or mere sentimentality. This course is often taken through poverty of language or argument. As a term of abuse it answers the purpose of saving the writer the necessity of making serious answer to the humane views put forward. If attack be made upon some cruel mode of sport which it would be difficult to defend, the obvious alternative is to abuse the adversary, ridicule his sensitiveness, and charge him with insincerity.

In these days too many public writers adopt ready to their hands, or are influenced unconsciously by, Carlyle's admiration for force and strength, and his extenuation of brutality and cruelty in the administration of law, or at least in the conduct of rulers. To these, capital punishment, flogging, long imprisonment, are true remedies for the correction and repression of criminals. They are rough but defensible methods, it is alleged, simple in execution, and relieve their advocates from perplexing questions, such as the prevention of crime or the reform of offenders. It is noticeable how confidently these nostrums are applied. The foolishness of pity is proclaimed. The real way of administering justice is at length discovered, and whoever disputes it is maudlin, insincere, or a fool.

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\* A reprint of an Address to the Humanitarian League.

## A PLEA FOR MERCY TO OFFENDERS. 141

Your League has been founded by those who disregard the rigour and abuse of their opponents. You trust to the steady operation of the merciful quality, which enters into every character by nature, and is so universal that our most apt English appellation for it is "humane," a mere corruption of the word, to make it distinctive in pronunciation from the more correct "human."

The field you have chosen is without limit. Wherever cruelty exists you attack it. Wherever gentler action recommends itself to the thoughtful and considerate as most effectual, you propose to substitute it for the more forcible. You are supported by the belief that what is forcible or severe is repugnant to the best feelings, and ever apt to become thoughtless and indiscriminate. Your action, whether applied to the principles of legislation or to the improvement of public opinion, will be a valuable addition to the beneficial agencies of civilisation. Your care will be to make an end of cruelty or torture to man or beast, whether it be the practice of the brutal or thoughtless, or sanctioned by bad laws or administration which call for improvement.

It is to the latter branch of your undertaking that I would apply myself, with your leave, in some observations which I hope may meet with your concurrence.

I have for many years had my attention closely turned to the administration of the Criminal Law. It has been my duty to prosecute and defend many, for breaches of the law of every sort and kind. During most of that time consideration or pity for the criminal has been but slight. There has been little effort to keep him out of prison, but every endeavour to get him there, and keep him for long periods. After the noble and successful efforts of John Howard, Romilly, Mackintosh, and others, and the amending Acts passed by Lord John Russell when Secretary of State, self-satisfaction came over the nation. It was content with what had been done, and believed that the limits of moderation and mercy had been reached. In this attitude, year after year, it seemed to be the sole object of the Courts

to try prisoners, of course fairly as to facts, but with the view to prevent escape, and then to inflict sentences of transportation, and later of penal servitude, painfully disproportionate to the offence committed. Long imprisonment was common. Justice was blind and deaf to all but a shallow and imperfect consideration of law and order. The despair of the criminal, his torture in long confinement, the wrenching asunder of all ties of affection, the sufferings of wife and family, all these the judge, by habit and in practice, put aside as not worthy of consideration to deter him from his assumed public duty of severe prolonged punishment of the malefactor. The ruling idea was that it was possible to stamp out crime by crushing sentences—that these would dispose for a number of years of the convict, and also deter others from imitating him.

Similar arguments and expectations long supported the dreadful Capital Punishment which once attended nearly every felony down to the picking of a pocket, and yet at every softening of the Criminal Law there has been a falsification of predictions, an absence of the dreaded increase of crime, and our citizens have found their property and their lives not less safe.

I am speaking of the prosecution, trial, and sentence only, of prisoners. It is true that benevolent people throughout have done their acts of private kindness, but these of course were prompted by pity for the suffering caused by the hard and stern rule. A series of efforts have been made by theorists of little practical experience to buttress the system by arguments, such as that only a long term of imprisonment afforded the chance of reforming the criminal, and these experiments have had fair trial, and are now a confessed failure. No one now puts forward a pet plan for reforming. It is admitted that penal servitude has a corrupting, enervating effect on the prisoner. It may be defended as retribution, or vengeance, or restraint of a dangerous subject, but for improving effect upon the confined its power is *nil*, indeed its action is harmful. It has been happily expressed “that imprisonment begins to harden a man the moment it

has ceased to punish him." The same writer, Chaplain to a gaol containing an average of 200 prisoners in penal servitude, writes :

"All my experience goes to show that a term of years of prison discipline as it now exists, tends to sap the fibres of the moral character, and to emasculate the power of the will. I believe that the average ticket-of-leave man, however excellent may possibly be his intentions, is about the most feeble, useless creature on the face of the earth. He is a ridiculously easy prey to temptations.

"I believe that there are many men undergoing sentences of five, seven, ten, and fifteen years, with no other result upon them, punitive, deterrent, or reformatory, than the sapping of every manly, self-reliant instinct within them. Imprisonment in its longer terms would seem to render the culprit alike feeble and desperate."

Time and space forbid me to dilate on this, which I believe to be borne out in the experience of myself and all observers.

The last outwork of defence of this system of long sentences has been reached by the attack upon it. It is said to be deterrent in proportion to its severity. Where is the evidence? Severity of a much more potent kind, penalties of death and atrocious floggings in public were for a long period of our history the remedy for crime. Who can aver that they deterred? Crime was then, as now, a statistical average, a little less at times, a little more at others—fluctuations which might be accounted for by the presence of greater misery in the population, or of greater temptation in the display of wealth and the opportunity for plunder.

It is true that for some years past, the number of serious crimes has diminished, but no one attributes this to severe punishment. Indeed, punishment has been reduced somewhat during the period, though eccentric judges of all sorts, and justices, may in places boast that they are untouched by humanitarianism, for which they express contempt. Some attribute the improvement to education. It may have done much, but I am disposed to think that it is more due to the great improvement in the condition of the less favoured classes, that the struggle for life has been less severe, and the means of livelihood, more food and comfort, within the reach of more people. The vast bulk of what is called crime



consists of pilfering and stealings, which are induced by the pressure of extreme want and misery, and yet it is to these that the dreadful remedy of long sentences has been ruthlessly applied. I have found instances of men who for trifling offences have spent thirty or more years in gaol. There surely can be no more effective maturing of an offender into a ruffian, desperate and determined. If mere offences are thus treated, the feeling is created that it is worth while to try for greater prizes, and to combine violence with their attainment, for the punishment can hardly be more severe.

Here are some specimens of these terrible sentences, inflicted in obedience to some hard theory which actuated the judge. One man sentenced to ten years' penal servitude for stealing a garden fork. Another, for stealing a cup, to five years. Another, for stealing some watercresses, to eight years. Another, for stealing some herrings and provisions, to five years. These instances will suffice. This system has gone on in practice for a number of years with the precision and regularity of a machine, causing desperation, misery, and lower and lower degradation. It was devised by men, mere pedants, to whom flesh and blood were nought compared to an expected reduction in the calendar of theft. We have had enough of such crude opinion and inhuman experiment. Indeed, we ought to reproach ourselves for thoughtlessly allowing it to proceed as a matter of course, by our silence encouraging those who have a belief in violent repression, and disheartening those who are more inclined to mercy. In these matters the public should think for themselves, never deserting mercy as their standpoint. They should not be led by public writers who have no responsibility and no experience, though they incessantly endeavour to persuade us that they know exactly the sentence which should in each case be meted out. Nor should they be prone to condemn leniency through reports of cases which are frequently inadequate, and fail to note circumstances and evidence which rightly guided the judge or magistrate.

There is no more favourite theme than tirades against sentences on wife-beaters. I am in favour of adequate

punishment in such cases, and so I believe are most of the tribunals. Yet unless you have the evidence before you, you cannot justly judge, and to us who have experience no offences are more difficult to try. You have no right to supply from your own prejudices evidence which is wanting. The wife is not always angelic ; or if she is, she is apt to deny in favour of the prisoner the charge she has first made and to extenuate much of the offence, and no tribunal can legally go beyond the sworn evidence.

A common cry is raised by the unthinking to bring back flogging as a punishment. Formerly, and down to the first quarter of this century, this punishment and death were our usual correctives of the criminal, male and female. Corporal punishment was deliberately laid aside by the wisdom derived from experience, until the selfish fears of some members of the House of Commons revived it for robbery with violence, and anyone who reads the thrice-told tale of the ineffectiveness of the Statute (in *Hansard* on many occasions, but notably in the House of Lords in 1893 in answer to Lord Salisbury)\* will cease to chatter about its having put down garotting. This brutality by law belongs to the untaught vengeance of savage times. Such sentences brutalise and corrupt all society where it is practised. Its baneful example engenders deterioration in the judge who avails himself of it, as shown by his increasing use of the lash ; the warder who administers it, who is paid extra for his disgusting service ; the gaoler, who is bound to witness the torture and urge the warder if he prove too tender ; the surgeon, who must stand by to ascertain the moment when the extreme of suffering a poor wretch can bear has been reached ; while the spectators in court are taught the lesson that bodily suffering is approved by law. The poor wretches who undergo it are not improved, are not deterred. I frequently have men before me for other offences committed shortly after under-

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\* And since, in 1900, in the debate on the Flogging Bill, thrown out in the House of Commons, when the Secretary of State, Sir M. W. Ridley and the ex-Secretary, Mr. Asquith, exposed and controverted the myth.

going this correction. Men proved afterwards to be innocent, have been subjected to the lash, and many have been sentenced on small proof of violence. Your papers\* call attention by the aid and powerful writing of my friend "R. J." to the case of poor girls, many doomed to suffer for twelve years, because in shame, and despair, and utter wretchedness, they have, when they knew not what they did, destroyed their offspring.

The fact is, that the virtuous, the religious, those who are timid for themselves, are hard in insisting upon punishment. What we have to teach them is that the diminution of crime is not effected in proportion to the employment of torture. For surely we may rank as torture all punishment which is excessive or unnecessary. I have for forty years had large experience of the administration of the criminal law and have seen the action of judges of every sort and description. Now for eight years and a-half† the opportunity has been afforded me of applying to my action, as judge, the teaching of years of observation.

I have seen Courts of Quarter Sessions, near neighbours to one another in districts where the life and habits of the people were similar, and the amount of property liable to pillage was in amount and quality the same. In the one a Recorder presided who dealt out penal servitude mechanically according to rule of accumulation for offences. His calendars showed an almost fated level of offences never reduced.

The neighbouring court was presided over by a chairman of justices, a lawyer of equal reputation, who prescribed punishment proportioned to each offence. His sentences were for months, where the other's were for years. Yet the calendar here equally preserved its level from Sessions to Sessions, did not rise, nor was crime more rife in the district. It was my first object-lesson nearly forty years ago, lasting over seven or eight years of comparison. Its impression has

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\* Publications of the Humanitarian League; "I was in Prison: a Plea for the Amelioration of the Criminal Law." By R. J.

† Since extended to sixteen, with my opinions above expressed, uniformly confirmed and therefore unchanged.

## A PLEA FOR MERCY TO OFFENDERS. 147

never faded. It was my lot to deal with over 3,747 prisoners up to the end of 1893 and upon these I inflicted 3,000 years of punishment less than my predecessor according to his scale would have felt himself compelled to do. Some of these prisoners return, others do not. Under the severe system those who had fulfilled their long terms of imprisonment returned as certainly, though of course at longer intervals, as each Sessions came round, evincing the futility, the failure of the method. Yet Liverpool is now as safe and free from crime as ever it was. Hear the Head Constable's report for 1892 :\*

"The gratifying results disclosed in the statistics, 1890-91, are more than maintained in the figures which I have now to lay before you, and I am for the second time able to report that Liverpool has never been so free from crime, nor has greater success ever been attained in making criminals amenable to justice, than in the year under review."

Consider this saving of 3,000 years. Distributed over as many thousand poor wretches, urged by extreme want and misery to break the law, it would have wrenched asunder many ties of affection which might improve and restore, it would have debased and reduced to despair many, as I have shown above by the testimony of a competent witness. If it be not unworthy, we may calculate the saving to the taxpayer, at all events we may claim that there is some good in most of the offenders, which if properly treated may do good service and form part of the industrial forces of the community.

There are many who disapprove of my action. Have they more experience? They criticise with severity, with temper, sometimes with spite. I do not dispute the sincerity of their opinions. Cannot they be tender to mine? Why should they be angry? Happily there are many more who agree with me, whose sympathy personally conveyed supports me in the struggle. Eminent judges, too, have set me the

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\* Confirmed in every subsequent report. The population has been increased by more than 200,000 by the addition of outlying townships, yet the Council of the City were able in 1900 to reduce the Police Force by 100 men.



example. The progress of mercy, in spite of the contempt of it entertained by some, goes on daily securing more and more adherents. Every Court, from the Assize down to that of Summary Jurisdiction, is more and more influenced by these golden rules :—

(1) Never to send a man to gaol if you can help it.

(2) To give the lightest sentence you can.

These sound homely, and set up no standard; but they may be best understood by contrasting them with the practice of many which may be stated to be :—

“Always send a man to gaol if the law permits.”

“Always give the heaviest sentence the law allows.”

A judge who stands midway between these extremes must make his choice. To whichever boundary he looks, be sure that practice will lead him nearer and nearer to it. In my judgment he should turn to that of mercy. He will, so doing, never have to reproach himself with the ruin and suffering of another. His duty will be light to bear and happy to perform. I promise him that the fears of danger to society will prove groundless. In peace of mind he will accumulate evidence that human nature, even among criminals, is improvable. He may mournfully confess to some failures, but he will often experience refreshing gratitude.

What I would enforce is that mercy is as effective as severity in the repression of ordinary offences. I do not deny that violent crime must be somewhat differently treated, as it may be necessary, for the protection of life, to cage, or imprison for longer periods, dangerous criminals; but even in these cases I have often seen punishment more brutal than the crime, and I deprecate the constant cry for vengeance. What we must look to is *detection*. Without the fear of detection it is obvious that the severest sentences fail to deter. The deliberate criminal lays his plans so well, so secretly, as he believes, as to make his act perfectly safe. If he expected to find the police, or superior protecting force on the ground, he would certainly not proceed. If he were sure of their absence, no fear of sentence would deter him. The certainty of success and escape attract him. The

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madman, the drunkard, the passionate, cannot entertain reflection and cannot be deterred. The commonplace, easily conceived idea that savage repression and "stamping out" are the fitting modes of treating crime belongs to past ages of ignorance, and is a disgrace to the civilisation and humanity which we pride ourselves we possess.

CHARLES H. HOPWOOD.

## GIOVANNI SEGANTINI AS A PAINTER OF ANIMALS.

THE lover of animals may search in vain amongst the pictures of the great Italian Masters for any expression of love or sympathy for the lower creatures. It is true that he may find paintings by the great Masters in which animals such as the ox and the ass are represented in pictures of the Nativity, or perhaps he may come across some odd-looking creatures in the garden of Eden, or the strange pet of some old saint ; but none of the painters of these works, in spite of their deep sympathy with human nature, seem to have tried to express any love or sympathy that they may have felt for the animals that lived around them. The fact is, their greatest powers went to give expression to the religious feelings of the age in which they lived, and their church, alas, gave little thought to those creatures who "had no souls" to be saved.

There is, perhaps, one exception to this general neglect of animals by the great Italian artists, and that is in the work of the quaint old painter Piero di Cosimo, who lived in the 16th century ; but he, it appears, was no lover of the church or her legends. In his masterpiece, "The Death of Procris," now in the National Gallery, he has introduced a dog who is watching at the feet of the wounded nymph, with that true canine expression which shows an understanding

that some tragedy has taken place and the help is needed which it is beyond his power to give. As Austin Dobson says :

“None saw her die but Lelaps, the swift hound,  
That watched her dumbly with a wistful fear.”

A man with a more ordinary mind than Piero di Cosimo would have fallen into the mistake of representing the dog as howling over the dying nymph, but Cosimo has shown a clearer insight into canine nature, and in this queer figure of a hound has expressed alike the mute longing and the pathetic incapacity to render help.

With traditions such as these, it is the more to be wondered at that in modern times it should have been in Italy that one of the greatest exponents of animal life should have arisen, for no other man has painted as Giovanni Segantini has done “that deep harmony, which subsists between man and beast who have been placed together on the same earth, who breathe the same air, upon whom the same sun shines, and who are drenched by the same rain, and in whose eyes the same spectacles on the ever-changing horizon are reflected.”

Before attempting to describe any of the work of Segantini perhaps it would be as well to state what manner of man he was, what was his origin, what sort of life he led, and what grounds there are for placing him in the first rank amongst painters of animals. Giovanni Segantini was born in 1858 at Arco, near the Lake of Garda. His father was a carpenter, his mother helped to keep the family together by selling fruit and vegetables. He came into this world a delicate and weakly child. He was baptised on the day of his birth, for it was feared that he would not live, and it was only with great care that his life was saved. In spite of his frailty, he grew up to be a strong and vigorous man. When he was five years old his mother died ; the following year his father went to America, never to return, leaving the boy at Milan to be brought up by a half-sister. It was a lonely existence for such a little child, as his sister had to be out all day at work. Life with so little love in it was unbearable



to him, and before long he decided to leave his wretched home. One morning he started across the Lombard plain with the intention of reaching France, but he was found by some peasants asleep by the roadside some considerable distance from Milan; they took him into a neighbouring hut, where he was taken care of by an old couple who adopted him as their child. Here he lived for two or three years as a swine-herd, and he relates how it was here that he first attempted to draw. "The first time that I took up a pencil to draw was when I heard a mother sobbing over her dead child, saying, 'Oh, that I had her portrait, she was so beautiful.' It was these words that aroused the desire to draw a portrait of the child for its mother."

A few years after this, Segantini left his humble occupation on the small farm and returned to Milan, where he studied drawing in a night school, earning a living somehow in the day time; but he was shut up for some time in a home for destitute children, having been found by the police wandering about without any means of sustenance. He escaped after a few months, but was retaken, and remained in the institution for two years, where he worked as a cobbler but was also allowed to draw. After this he studied at the Brera for two years, but seems to have rebelled against the rules of the Academy, and it must have been about this time that he learnt to read and write, for in one of his letters, in which he speaks of the ideas and thoughts of his youth when he was about 17 years old, he says: "I should have liked to put down my ideas in writing, but at that time I did not know how to write my own name."

After remaining in Milan for some years he went to live at the Branza, and at this time he seems to have found his mission, to which he now devoted himself entirely. To quote his own words again: "I withdrew amongst the hills and lakes of the Branza, convinced that painting could not be limited to colour for colour's sake, but that it could, if put to good use, express feelings of love, of sorrow, of pleasure, and of sadness." Cruelty he naturally abhorred, and he never

painted it, and he never tried to represent any violent action or emotion. The peace of nature seems to have been the key-note of most of his work, and it was at this time that he began to express the sympathy that exists between man and the lower animals. His pictures of men and women labouring in the fields or tending their flocks and herds, of men and animals leading the same hard life of toil and labour, each helping the other—cows under the yoke, or sheep submitting to have their wool taken from them—groups of which the sentiment of motherhood is the key-note—all alike illustrate the same theme: the instinctive sympathy between human and non-human. This is what he himself wrote on the subject of animal painting:—

“ I wish that men should love the kindly animals, those that provide them with bed, and meat, and skins; therefore I painted ‘The Two Mothers,’ ‘The Mothers,’ and the good horse under the plough, working with and for man. I painted toil, and rest after toil, and everywhere I painted good animals, with eyes full of gentleness. They who give everything for man—their strength, their offspring, their flesh, and their skins, are beaten and ill-treated by him; but still I think that man, as a rule, loves them—but, above all, loves the earth, for the earth is more generous than aught else: it gives to man and beast.”

In looking at the pictures of Segantini, it is difficult to define exactly what it is that makes this sentiment of fellowship and love between man and the lower animals felt. It is not the result of lowering man down to the level of the non-human animals, for in Segantini's pictures there is nothing sordid or degraded about the simple peasants; his women are often idealized, and more than one of his works might well be taken for a picture of the Madonna and Child, so tenderly conceived and Biblical in feeling are they. Neither is this result got by idealizing the animals, on the contrary, many of them are very heavy and clumsy, and even occasionally ill-drawn. The fact is that Segantini presents man and beast in the light of their common interests, man is in no way hostile to his humble servants; they seem to be sharing things equally, there is a mutual understanding between them, man helps the animals with his superior brain, the animals help man with their superior strength,



and they have many things in common ; they both love the sunshine and the shade, they seek shelter together from the wind and rain, they both love rest and sleep after toil, and they both slake their thirst at the same cool stream ; they both feel joy and pain, and both love and protect their offspring. Segantini delights in bringing out this sympathy between men and animals, and his pictures forcibly express the sentiment of kinship of which so many of the scenes depicted by him are the outcome.

Never has Segantini painted the killing, the hunting or the trapping of any animal, neither has he represented the torturing of animals for sport. As is well known, he hated the Bull Fight, that much loved subject of some French painters. He has said, "The enjoyment of life consists in knowing how to love: at the bottom of every good work there is love."

There is a note of sadness in nearly all his works, man and beast both live a life of toil, their heads are bowed down with it, but they are both resigned, and there is no hint of rebellion at their lot. Nature provides them with their few necessities, and their lives are not unhappy. One of Segantini's most beautiful pictures, one that perhaps reaches a higher level than any other work of his, is his "Ave Marie." A shepherd rowing his flock across a calm lake is seated at one end of the closely packed little boat, whilst at the other a mother folds her child in her arms. Two large wooden hoops used for supporting an awning form an arch over this group of figures ; beneath the arch the far-distant shore is seen and a church spire points upwards into the clear sky. It is evening. The man has ceased to row, and his head is bowed ; the woman, Madonna-like, bends down her face and presses her child close to her ; the sheep are reaching their heads over the side of the boat and are drinking the cool water. All nature for one moment seems to rest, peace reigns everywhere ; the Angelus, that sweet call to prayer, is sounding across the still waters, and man and beast and all nature seem to be thrilled with an intense feeling of devotion.

"The Blessing of the Sheep" is another beautiful work. A priest in white surplice, attended by three acolytes, is standing on the steps of a church, whilst a flock of sheep pass below. The figure of the priest stands out against the clear sky, whilst he reads from a book held up by one of the choir boys. Two women in the foreground are tending the sheep, a lamb is feeding from its mother, thus stopping her progress, quite indifferent to priestly blessings.

Yet another typical example of the fellowship between the shepherd and his flock is the "Shepherd's Income." The old man is taking the greatest care not to hurt the defenceless animal, which in its turn seems to be conscious that the disagreeable operation of losing its fleece is the fulfilment of a just claim. It has been fed and cared for, it is now its turn to pay for all it has received.

Equally beautiful and significant is the "Sleeping Shepherd," in which guardian and flock are alike wrapped in the deepest repose, sharing equally nature's beautiful gift of sleep, a subject rarely before represented, but one full of suggestion, illustrating as it does the sharing of all sentient creatures in the priceless boon of unconsciousness. The ideal which Segantini strove to realize in his work was the expression in art of the noblest sentiments of humanity, and in pursuit of this ideal he was led before his death into the realm of the visionary and symbolic. The result of this new departure was the production of such strange fantastic compositions as "The Unnatural Mothers," "The Source of Evil," and "Love at the Fountain of Life." In the first, the children who have been neglected or deserted by their mothers are changed into twisted and contorted trees, whilst the mothers are doomed to float about across the wind-swept, snow-clad heights, their only hope of salvation being the recognition of their transformed offspring. To follow the master into this imaginary realm, or to criticise the marvellous technique which made him one of the pioneers of modern art, would be out of place in this article, the only aim of which is to draw attention to Segantini's sympathy with animal life. Those who would know more of him and of his



work should turn to the biography by L'Villari, lately published by Fisher Unwin. It is one of the most fascinating life-stories of the many that have been written about artists. It is enough to add here that it was Segantini's determination to go direct to Nature for his inspiration, and to work to a great extent on his pictures in the open air, which led to his untimely death. He was working far up in the mountains in the autumn on a Triptych for the Paris Exhibition when he was taken ill in his hut, and as no water could be obtained he drank melted snow, with fatal results. By the time help came it was too late to save him, and he died on September 28th, 1899, leaving the whole art world and all lovers of animals the poorer for his loss.

ARTHUR G. BELL.

## AN OLD ETON INSTITUTION.

THE recent wide publication, in the *Times* and other newspapers, of the Humanitarian League's protest against the sport of the Eton Beagles—the “breaking up” of hares and the “blooding” of hounds as an afternoon amusement for schoolboys—has called forth some expressions of amazement that such revolting barbarities should be permitted at the greatest of English public schools. It has to be remembered, however, that Eton College, as may be seen from Maxwell Lyte's authentic history of the school, has always been a home of cruel sports.

“No work,” he says, “was done on Shrove Tuesday after 8 a.m., and at Eton, as elsewhere on this day, the practice prevailed of tormenting some live bird. The college cook carried off a crow from its nest, and, fastening it to a pancake, hung it up on the school-door, doubtless to serve as a target. It is evident that in the time of Elizabeth cruelty to animals was not counted among the sins for which penitents require to be shriven.”

And what, it may pertinently be asked, of the time of Edward VII.? It is curious to note how gravely the historian of Eton reproves the cruelties of the past, while tacitly giving his sanction to those of the present:—

“Sports which would now be considered reprehensible were tolerated and even encouraged at Eton in the seventeenth and eighteenth centuries. For instance, the college butcher had to provide a ram annually at election-tide, to be hunted and killed by the scholars. It was on one of these occasions that an active ram crossed the

Thames, and ran through the market-place at Windsor, with the young hunters in full cry after it. Such severe exercise in summer was deemed dangerous to the boys, and the unfortunate rams were thenceforth hamstrung and, after the regular speech, beaten to death in Weston's Yard."

Even in the present century, we read :—

"Bull-baiting went on with vigour at the time of the Windsor fair, and badger-baits, dog-fights, and cat and duck hunts were organised for the special edification of the Eton boys."

The Eton hare-hunting is a survival from these good old times, and as such it is highly prized by Etonians past and present, who regard the action of the Humanitarian League as an intolerable impertinence. Before proceeding further, let us quote a description of the doings of the Beagles from an unimpeachable source—the *Eton College Chronicle* itself. Two extracts will suffice :—

"Time 1 hour 20 minutes. Very fast. . . . Here the Field spread out to try and pick her up, and she was seen dead beat. . . . Though stiff, she went away very strong, and running past Dorney Vicarage, she pointed towards Mr. Barron's farm, but doubling back again through the Vicarage gardens, crossing the road, she was pulled down in a ditch. . . . So we broke her up, and returned home to kennels after a very good hunt.

"Time 1 hour 50 minutes. A very good hunt, especially creditable, since scent was only fair, and we were very unlucky to lose this hare, which was beat when she got back to Salt Hill. On the next day we heard that our hare had crawled out of the gate, up the High Street to Burnham, and entered a public-house, so done that it could not stand and was caught by some boys, who came to tell us half-an-hour afterwards, but we had just gone home. Too bad luck for words!"

To this testimony we will add that of an eye-witness who wrote the following account of the formalities of a "kill":—

On February 4th, 1899, being in the vicinity of Eton, I had an opportunity of seeing one of these hare-hunts, and I will give a short and exact description of what took place.

At 3 o'clock, some 180 boys, many of them quite young, sallied forth for an afternoon's sport with eight couples of the College Beagles. A hare was found at 3.15 near the main road leading to Slough. It was chased through the churchyard and workhouse grounds of this town, into a domain dotted with villas, called Upton Park. Escaping from this spot, it ran towards Eton, but soon doubled back to Upon Park,

the numerous onlookers in the Slough road, lustily shouting at the dazed creature all the time. These circular chases were thrice repeated, the hare always getting back to Upton Park.

Twice did the animal come within a few paces of where I was standing, and its condition of terror and exhaustion was painful to behold. The boys running after the hounds were thoroughly enjoying the thing, and two masters of the College, I was told, were amongst them. Now for the final scene.

The hare, which had been hunted two hours, having got into a corner at Upton Park, which was bounded with wire-netting, was seized by the hounds and torn. The master of the pack then ran up, got hold of her, and broke her neck. The carcase was handed to one of the dog-keepers, who cut off the head and feet, which trophies were divided among the followers. The keeper with his knife then opened the body, and the master, taking it in his hands and holding it high above the hounds, rallied them with cries, and finally threw it into their midst, as they had, in the language of the *Eton College Chronicle*, "thoroughly deserved blood."

I make no comments upon these doings; I only say that I think the British public ought to know how boys are being trained at our foremost school in respect to the cultivation of compassionate instincts towards the beings beneath us.

The surprising fact about this school recreation is not that the Humanitarian League should have begun to attack it five years ago, but that it should have remained so long unchallenged by the Royal Society for the Prevention of Cruelty to Animals, and other societies which profess to teach humanity to the young. An "Open Letter" addressed by the League to the Head Master of Eton in the autumn of 1897, was widely noticed in the press, but as it elicited no reply from Dr. Warre, the Humanitarian League addressed another appeal to the Chairman of the Governing Body (the Provost of Eton), but again received neither reply nor acknowledgment. It was evidently the policy of the Eton authorities to maintain a dignified silence (publicity is above all things dreaded at Eton, and not without reason), and to ignore the obscure busy-bodies whose clamour would then perhaps die down. But in reply to a private letter of remonstrance sent to him by Lady Florence Dixie, the Head Master condescended to state that until the hunting of wild animals was forbidden by law, he could not interfere with



the Beagles, which are "an old institution" at Eton. A strange argument, surely—that because a practice is not illegal for adults it is permissible for schoolboys! One can imagine how Dr. Warre, had he been Head Master at the time, would have expressed himself unable to interfere with the ram-hunt, as now with the hare-hunt, on the ground that it was "an old Eton institution" and not contrary to the law of the land.

Unfortunately for the serene calm of the Eton atmosphere, the agitation was vigorously maintained, until in the present year the Humanitarian League was able to address to the Governing Body of Eton the following influentially signed Memorial:—

SIR,—We beg to invite the attention of the Governing Body of Eton to the many protests made during the past few years against the institution known as the Eton College Beagles. Without entering on the general question of the morality of field sports, as practised by adults, we would express our conviction that it cannot be otherwise than demoralising for *the young* to be encouraged to seek amusement in the infliction of pain on animals, and that the permission granted to Eton boys to indulge in the sport of hare-hunting, and to publish in the school journal a record of the "breaking up" of hares, the "blooding" of hounds, and other incidents of the hunting-field, is greatly to be deplored.

We venture to suggest that, as there is now an increasing tendency among teachers to inculcate a more sympathetic regard for animals, it is highly desirable that Eton College should not stand aloof from this humane spirit. We therefore most respectfully appeal to the Governing Body to give this matter the full consideration that it deserves.

(Signatories.)

Sir Arthur Arnold, J.P., D.L.; Rev. Samuel A. Barnett, Canon of Bristol; Right Rev. Bishop Barry, and Mrs. Barry; Thomas Burt, M.P.; Alfred Carpenter, Captain R.N., D.S.O.; Rev. J. Clifford, D.D.; Colonel W. Lisle B. Coulson, J.P.; Walter Crane, Member of the Council of Advice on Art to the Board of Education; Lady Florence Dixie; Rev. James Drummond, LL.D., Principal of Manchester College, Oxford; Rev. J. Oswald Dykes, D.D., Principal of Westminster College, Cambridge; J. Passmore Edwards; J. Keir-Hardie, M.P.; Frederic Harrison; Rt. Hon. Charles Hare Hemphill, P.C., K.C., M.P.; George Jacob Holyoake; Charles H. Hopwood, K.C., Recorder of Liverpool; Rev. J. Page Hopps; Rev. Hugh Price Hughes; Very Rev. G. W.

Kitchin, D.D., Dean of Durham; Rt. Rev. Bishop Mitchinson, Master of Pembroke College, Oxford; Sir Lewis Morris, J.P.; William Michael Rossetti; Sir Edward Russell; Herbert Spencer; W. Gordon Stables, M.D., R.N.; Very Rev. W. R. W. Stephens, Dean of Winchester; Rev. J. Stratton; Sir Edmund Verney, Bart.; Sir William Wedderburn, Bart.; Alfred Russel Wallace, D.C.L., F.R.S.; T. P. Whittaker, M.P.; J. Carvell Williams.

February 17th, 1902.

This letter, which was prominently noticed in a number of important papers, at last elicited a reply, the Governing Body passing an evasive resolution that "this is a matter in which they ought not to interfere with the Headmaster's discretion." ("We think the word should have been 'indiscretion,'" was the comment of the church paper, *News*.) As this merely left the responsibility on the shoulders of Dr. Warre, the Humanitarian League promptly availed itself of the opportunity to approach him again, and in the following correspondence which appeared in whole or in part in the *Times*, *Standard*, *Daily News*, *Daily Chronicle*, *Morning Leader* and other leading papers, the question at issue was put clearly before the public.

Humanitarian League,

53, Chancery Lane, W.C.,

April 7th, 1902.

SIR,—We are informed by the Provost of Eton that, in reply to our recent memorial on the subject of the Eton Beagles, "the Governing Body of Eton College has passed a resolution that the matter is one in which the Governing Body ought not to interfere with the Headmaster's discretion."

This being so, we venture to appeal to you personally, in the hope that you will see your way to the adoption of a course which, while not affecting the existence of the Beagles as an old Eton institution, would put an end to certain barbarous features of the sport which have caused widespread disapproval—the "breaking up" of hares and "bleeding" of hounds as a mere recreation for schoolboys. What we ask of you is not the discontinuance of the Beagles, but the conversion of the hare-hunt into a drag-hunt, a pastime which, as experienced sportsmen have testified, is capable of giving the fullest amount of healthful and manly exercise, without the taint of cruelty. If this suggestion were adopted, there would be no physical loss, but much moral gain, to the boys under your charge; and Eton would be freed from a disgrace to which no other public school is liable.

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We make this appeal to you with the more confidence because we observe that, together with the Provost of Eton, you have just been re-elected a member of the local Committee of the Royal Society for the Prevention of Cruelty to Animals, which is engaged in forming Bands of Mercy in the Windsor and Eton District for the purpose of "educating the rising generation"; and you are doubtless aware that the doings of the Eton Beagles have been officially stated to be "contrary to the principles of the parent Society."

Yours faithfully,

ERNEST BELL,  
*Chairman.*

Eton, April, 1902.

SIR,—I have the honour to acknowledge the receipt of the letter addressed to me by you as Chairman of the Humanitarian League.

1. I observe that you charge the boys who hunt with the Eton College Beagles with "barbarous methods," such as "breaking up" of hares, and "bleeding" of hounds.

2. The phrases in question are among those current in sporting papers, and I regret that they should have found their way into the pages of the *Eton College Chronicle*, being objectionable in sound and liable to misinterpretation.

3. I understand, however, that these phrases do not imply anything more than that the dead hare is devoured by the hounds. I am quite sure that the boys are not cruel, and that they would not sanction any cruelty.

4. But if it is assumed on the part of the Humanitarian League that the hunting of wild animals is cruelty, and that all such hunting is demoralising to the youth of the nation, I can only reply that I do not agree with this view, and that I am not prepared to interfere with the liberty which from time immemorial the boys have enjoyed in this matter.

5. It is true that I detest cruelty, and that, together with the Provost of Eton, I belong to the Windsor Branch of the Royal Society for Prevention of Cruelty to Animals. But I have never been given to understand that that society has condemned the hunting of wild animals. If it does, ought it not at once to enlighten its subscribers upon this point, so that they may not be contributing to its funds under a false impression?

6. As the Humanitarian League has been publicly attacking the Eton College Beagles for some years past, I presume that you have no objection to the publication of this correspondence.

I have the honour to be, Sir, your obedient servant,

EDMOND WARRE,  
Headmaster of Eton.

Humanitarian League,  
53, Chancery Lane, W.C.  
April 25th, 1902.

SIR,—I beg to acknowledge the receipt of your letter on the subject of the Eton Beagles.

While we welcome your admission that a record of the "breaking up" of hares and the "blooding" of hounds is unsuitable for a school journal, we must point out that your statement that "these phrases do not imply anything more than that the dead hare is devoured by the hounds" is scarcely in accordance with the facts. You omit to mention that "the dead hare," before it dies, undergoes a process of prolonged torture by exhaustion—"dead beat," "quite stiff," "so done that it could not stand," are some of the choice expressions in the *Eton College Chronicle*—and that it is often torn and worried by the hounds before being put out of its misery by the hands of the huntsman. Here is an eye-witness's account of a typical "kill" with the Eton Beagles, the accuracy of which we are prepared to prove, if challenged :—

"The hare, *which had been hunted for two hours*, having got into a corner at Upton Park which was bounded with wire-netting, *was seized by the hounds and torn*. The master of the pack then ran up, got hold of her, and broke her neck. The carcase was handed to one of the dog-keepers, who cut off the head and feet, which trophies were divided among the followers. The keeper with his knife then opened the body, and the master taking it in his hands and holding it high above the hounds, rallied them with cries, and finally threw it into their midst, as they had, in the language of the *Eton College Chronicle*, 'thoroughly deserved blood.'"

We have never charged the Eton boys with conscious cruelty, but we hold that the sport of beagling is a detestably cruel one, and necessarily demoralising *for the young*. It was on this ground, as you are aware, that our protest to the Governing Body of Eton was signed by Mr. Herbert Spencer and other well-known educationists.

If you have any doubt as to condemnation of the Eton Beagles by the Royal Society for the Prevention of Cruelty to Animals, of which you are a local member, we beg to refer you to the March number of the Society's journal, where you will find it editorially stated that "the countenance given to Eton boys to indulge in the sport of hare-hunting is to be deplored, and is contrary to the principles of the Parent Society." In maintaining the Beagles, therefore, you are in direct conflict with the principles of the society to which you belong.

Yours faithfully,

ERNEST BELL.

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Eton College,  
April 26th, 1902.

SIR,—I have to acknowledge the receipt of your letter. I do not think I need add anything to that which I have already written on the subject.

I am, Sir, your obedient servant,

EDMOND WARRE,  
Headmaster of Eton.

The reader will note Dr. Warre's somewhat disingenuous attempt to evade the gravamen of the charge against the Beagles by (1) assuming that it was only against the final "breaking up" of the hare that the League protested, whereas of course the protest had for years been made against the cruelty of the hunt throughout; and (2) ignoring that it is not the general question of field sports that is here at issue, but the special question of the propriety of encouraging *schoolboys* in a particular pastime. The value of the religious and moral instruction given at Eton may be estimated from the following sentiment quoted from the letter of an Eton boy:—

"A hare is a useless animal, you must own, and the only use to be made of it is for the exercise of human beings."

Well might the late Mr. W. J. Stillman stigmatise "the permission given to the boys of Eton to begin their education in brutality, when they ought to be learning to say their prayers," as "the crowning disgrace of all the educational abuses of a nation which instituted the Royal Society for the Prevention of Cruelty to Animals."

And this mention of the R.S.P.C.A. brings us to what is perhaps the most scandalous point in the whole business, the fact that the Headmaster of Eton—the very person who refuses to substitute the drag-hunt for the hare-hunt, and insists on permitting Eton boys to worry hares to death—is himself a member of the committee of the Windsor and Eton Branch of the R.S.P.C.A. It is so far to the credit of the central executive that the conduct of the Eton authorities has been described as "contrary to the principles of the

rent Society"; but that is not enough. If the Windsor Committee, in its snobbish regard for big names, is afraid or willing to rid itself of the compromising association with the Headmaster, it is for the central committee to bring itsalcitrant Branch to reason by the means that are obviously its power. If it does not do so, it must be held indirectly responsible for the continuance in the twentieth century of "old Eton institution" which would disgrace a tribe savages.

## TWENTIETH-CENTURY BARBARISM.

IN spite of all the high-sounding claims and phrases of modern civilization and Christianity, it yet remains an indisputable fact that, with the leading nations of Christendom, in this the twentieth century after the birth of the alleged founder of its religion or religions, some of the grossest barbarities and some of the grossest injustices, which have always disgraced the human species, not only survive but even conspicuously flourish. It is an equally indisputable fact—a fact which immensely aggravates the load of responsibility upon its modern authorities—that some of the most essential requirements of a true morality and of a true religion, still ignored as they are, for the most part, and even openly condemned by the accredited representative teachers of the dominant religionisms of to-day, were by the best thinkers of non-Christian antiquity more or less clearly recognised. And it is this scandalous fact, together with the necessary consequences of such infidelity to Truth and to Right—the enormous injustices still characterising the laws and consecrated by the religions of Christendom—which fully explains the general contempt on the part of the non-Christian (civilised) peoples for its character and claims, and the profound despair of the true philosopher. Yet more deplorable and yet more direful to the just thinker, who looks below the surface of things, than the vastness and variety of penalised crime, of which the newspapers exhibit

every day but a small, though sufficiently frightful, proportion is the equally vast amount of non-penalised, or even legalised, wrong-doing—more direful, inasmuch as the one is but the natural and necessary effect of evil social conditions and circumstances; the other an efficient cause and source of it all.

Is justificatory proof of this ignored truth demanded? It is necessary but simply to refer to the chief tests of a genuinely ethical State and to patent facts. Few, at this day, outside of the reactionists (more numerous, however, than suspected, perhaps, by the humaner sections of society)\* will venture to deny that the surest and chiefest of the tests of the worth or worthlessness of any particular stage of "civilization" are (1) the extent and the degree in which the rights of the weakest and of the most liable to oppression are recognised by the laws; (2) the justness or otherwise of the Criminal Code, and of its administration, and the number and relative estimate of crimes; (3) the frequency or infrequency of "wars," the encouragement or discouragement of militarism and aggression by the Government and the ruling classes, and the opinion as to its character prevalent in the nation generally. Even without any profound examination of the social history of this country, to be enabled to pass judgment upon the two former tests it is enough to consult the Statute-Book and the course of legislation—and that during a period quite recent. Of the Criminal Code it might be affirmed without the slightest exaggeration to have been in every page written in blood and, with yet greater degree of infamy, to have been characterised by the most revolting barbarity inflicted upon "criminals," who—to use a mild expression—were far

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\* Within the half-dozen last years, the equally callous and candid expressions of regret at the gradual—disgracefully slow—disappearance of some of the more shocking of the brutalities of "the good old days," of which certain of the popular periodicals have been the too ready *medium*, are a significant symptom and warning of the tendency to reversion, with large classes of the country, to primæval or, at least, mediæval types of barbarous feeling and action.—See, in particular, a contribution to *Blackwood's Magazine*, January, 1898.



more sinned against than sinning; victims of the iniquity, or inequality, of the laws under which they suffered.\*

As to the rights of the weakest and most defenceless, the English legislature, until a period quite within living memory, deigned not to regard them at all. Women, and in particular, young women, were entirely unprotected by our legislators, even from the extremest brutalities—actual murder excepted—whether of drunken or of ferocious fathers and husbands, from the sordid avarice of the exploiting employers of servile labour, or from the licence of the privileged libertine. Of the merest conception of the natural or moral rights of the most defenceless of all dependents upon the protection of law—the non-human races—so far was the English Statute-Book from exhibiting the least sign until the last century was at the end of its first quarter, that even the faintest assertion of the truth provoked the utmost scorn and ridicule from the law-makers and of the rest of society—conspicuously from the exponents of orthodox opinion in the

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\* In the first century of our chronology, Seneca, one of the most admirable, the most comprehensive of ethical teachers (who, in his conception of the demands of the Higher Morality should put to deepest shame the common run of the moralists and religionists of Christendom) asks the pertinent question—"Will not that man seem to be a very bad father who punishes his children, even for slight causes, with constant blows? Which preceptor is the worthier to teach—he who scarifies his pupils' backs if their memory fails them, or if they make a blunder; or he who chooses rather to correct and instruct by admonition and the influence of shame? You will find those crimes to be most often committed which are most often punished with severity. . . . Many capital punishments are no less disgraceful to a ruler than are many deaths to a physician. Men are better governed by mild laws. The disposition to cruelty which takes delight in blood and wounds is the characteristic of savage beasts, it is to throw away the [better] human character and to pass into that of a savage" ("On Clemency"). As to the barbarity of the ordinary schoolmaster, the sentiments of the great Roman critic, Quintilian ("Institutes," II.), of the famous Latin translator or adapter of the Hellenic new comedy, Terentius ("Adelphi," I., 1, "The Brothers"), are much in advance of the scholastic and other prevalent opinion of the present age. Among Christian writers—of times preceding our own—Ascham ("Schoolmaster"), Lily ("Euphues"), Montaigne ("Essais"), and Rousseau ("Emile"), almost alone represent the more rational feeling of these better thinkers of pre-Christian days. Of modern protesters against the atrocious brutalities of criminal codes, the names of Voltaire, Beccaria, Bentham, Howard, and Phillips are pre-eminent.

Press, from the religionists as much as from the rest of the caterers of their mental pabulum to the British public. And it will remain as the everlasting especial opprobrium of Christian legislators that, although at length to the domesticated races, to some extent and in some degree, protection from the worst atrocities has been conceded—after desperate struggles—yet the *undomesticated* are still abandoned almost wholly to the brutality of human cruelty or callousness.

Of the three principal *criteria* which we have selected, legalised inter-human butchery commonly and complacently termed “War”—as the most *comprehensive* of all the State and law-sanctioned evils which have always afflicted our atomic globe, as the *epitome* of almost every cruelty and every barbarity—might, perhaps, with propriety have taken the first place. Not only is this, the most characteristic of primæval barbarisms, still law-sanctioned, but it is even obligatory upon a large proportion of populations, under pains and penalties, in almost every State of Christendom. So far from becoming less, it becomes more murderous every year by the continuous invention of the most extensively destructive military machinery and—a distinguishing character of modern warfare—even by the employment of late years of the most *insidious* means of slaughter, such as what are termed “torpedoes” for sub-marine explosion: the utter insensateness of which is equalled only by its devilish ingenuity, since it has made necessary the continuous parallel invention of means of *avoiding* its frightful destructiveness.

As if the tremendous fact of the enormous military establishments of the great monarchies of Christendom, numbering some millions of practically enslaved men, and maintained at the yearly cost of hundreds of millions of the peoples’ money—multiplying and mocking the already abounding destitution and misery of the deceived down-trodden masses—did not sufficiently falsify the boasts of possession of a true civilisation, within the three last years two of the most savage and most iniquitous of modern wars have too clearly illustrated our contention. These wanton

aggressions of combined militarism and commercialism—the one perpetrated by our Government against the independence of the two Dutch Republics of South Africa, the other by the united European Powers against the national rights of the Chinese Empire—form an object-lesson, of the greatest significance, as to the international morality of Christendom, which must tend to the disillusion of even the most optimistic or melioristic of the students of contemporary history.

To recount the hideous barbarities, still recent and notorious, which have characterised these political, military and commercial aggressions is superfluous. The atrocities perpetrated under the ægis of the leading Powers of Christendom—including our own—not only upon the actual combatants, but also upon the non-combatant Chinese population, accompanied with outrages upon women and children, for parallel to which it is necessary to go back to the Thirty Years' War and to the Siege of Magdeburg in particular, would simply be impossible of belief had they not been certified by many impartial eye-witnesses of undoubted credibility; atrocities perpetrated in revenge for the murder of Christian emissaries by certain fanatical Chinese patriots alarmed at what they regarded as an insidious policy directed against the national interests and the independence of their country. Nor, in fact, were such suspicions, founded upon the whole history of European aggression in the East, which so plainly has been prepared by missionary enterprise, without very reasonable ground.

But it is the war of aggression upon the Dutch burghers of South Africa, just concluded, after nearly three years of incessant struggle, devastation, legalised murder, and persistent Press mendacity and calumny, against a brave and, what is much more, peace-loving, soberly-industrious people, which in very special degree falsifies the confident claims of Christian civilisation, in one of the most significant departments of morality, for the following conspicuous reasons. *First*, because it has been wantonly provoked and persisted in by the representatives of the nation, whose constant boast it has been to be in the van of Christian civilisation, and

whose Press and pulpit at no remote period have affected virtuous indignation at the tyrannical procedure of the Continental autocracies in similar cases. *Second*, because the people of the nationality so wantonly devastated are the nearest to our own in race, language, and religion; and, in the Cape Colony, are closely connected with the aggressors by marriage and other relationships, so that the war was, to all intents and purposes, a *civil war*—the worst species of inter-human butchery. *Third*, because the Dutch burghers, of whom the late owners of the Transvaal and Orange Free State formed part until driven away by English harshness and jealousy, had had possession for more than two centuries of the territories of which they are now being robbed by imperialist and capitalist avarice: territories acquired by the original (European) owners in face of the greatest dangers and difficulties from surrounding fierce savages, and from the natural conditions of the regions where they had originally sought refuge from religious tyranny. *Fourth*, because, the evil example will serve to facilitate—and, in the Machiavellian policy of Autocratic Rulers, to justify—the worst violations of international morality; debarring, necessarily, this nation hereafter not only from giving assistance (moral or material) to oppressed nationalities against the most flagrant aggression but even from simply protesting on their behalf. *Fifth*, because hereafter necessarily, for the same reason, the claim to be the teacher of higher morality or religion to uncivilised peoples of the globe has become more than ever logically impossible to this nation; and longer to organise or maintain *missions*, under this pretext, has become yet more hypocritical than ever. *Sixth*, because this aggressive war has extra-demoralised “Society” of all ranks, and the masses of the population of these islands and of their colonies, to a greater extent and degree than any other war in which the Government of this country has been a principal, since at all events the War of Independence in North America—proofs of which assertion are too obvious on all sides to need insistence.



Upon the "methods of barbarism" which have signalised, in special manner, this war of the great aggression in South Africa (as History may be expected to memorise it pre-eminently) it is superfluous here to insist, in detail, since they are evidenced in every newspaper throughout the civilised world, and in shoals of war-literature of all kinds. It is enough merely to emphasise their most significant features; the wholesale devastation of the territories of the two Republics, with the burning down of many hundreds of homesteads, exposing the unhappy families of the burghers on *commando* to all the horrors of famine and destitution—the imprisoning of the (in most cases) widowed wives and orphaned children, to the number of some 70,000, in imitation of the Spanish methods in Cuba, in what are termed "Concentration Camps" (*concentrados*), the latest invention of modern militarism; where, during the worse periods of the neglect of the Government authorities, in the autumn of last year, the deaths of the children mounted up to several thousands, from semi-starvation, exposure, and insanitary conditions—the shooting or hanging, under the license of what is called "Martial Law" of the captured enemy, who (were the situations of the respective combatants reversed, or had they been British officers captured and thus done to death in cold blood by abuse of legal forms by some foreign Power) would be regarded and revered by Englishmen as martyred patriots—the added infamy of forcing the friends and countrymen of the captured patriots, styled "rebels," to be present at the military "executions" aggravating the enormity of this portentous development of British militarism—the deportation of the chief part of the resisting population to distant parts of the globe, with confiscation of property, and, not least of all the numberless wrongs inflicted, a conspiracy of calculated calumny in the capitalist and war Press during the entire period, in face of all the plainest exposures of its falsity. Such, to the everlasting dishonour of the new British Imperialism, are the most salient features of, we repeat, the most disgraceful of wars for which the Government of this country, in modern times, has been

responsible—scarcely excepting the War of Independence of 1775-1783.

The number of immediate victims on the side of the Dutch burghers and peasants it is impossible to estimate with certainty. Probably it amounts, at this moment, to not far from 100,000, the victims by disease contracted in the field and by other indirect means included. But the amount of moral, as of material, evil inflicted upon the Africander population it never will be possible to calculate. On the invaders' side the "casualties"—to use the euphemistic military equivalent for slaughter and mutilation in battle—and deaths, and more or less lasting incapacitation by various disease (generated by constant exposure on the veldts to the inclemency of the climate and to the insanitary and other malarial conditions of their camp-life) number up to this date considerably over 100,000. Equally as with the victims among the invaded, the immensity of suffering of all kinds caused, as in all war, to the families and friends of the slain or permanently disabled breadwinners in the gigantic British armies, is utterly beyond all possibility of calculation; and the light-hearted, utterly selfish and insane expenditure by the British electorate of £220,000,000 is a material consideration, by comparison, of trifling moment; although, indeed, one-tenth part of that enormous sum—devoted to so maleficent purpose—would have sufficed to improve incalculably the wretched condition of the masses materially and therefore, also, mentally and morally.

For every really right-thinking and feeling mind, however, yet more deserving of indignation and denunciation is the horribly frightful fate of the hapless and helpless non-human victims of this wantonly wicked war. The indescribable horror of accumulated agonies of suffering for the victims of the slaughter-house—to supply the (supposed) necessary means of sustenance of the 250,000 human combatants—is a consideration which, it is shameful to reflect, appeals to the conscience of but the few. For the fate of the half-million or more of horses and mules dragged to the battle-fields—

the vast majority from the most distant parts of the globe—after having undergone all the horrors of the middle passage, there to be hideously mangled and mutilated and to be left to linger in agonies on the field of general butchery, possibly for days, “astonished at the madness of mankind,” some degree of pity seems to have been excited, at least in the breasts of the less callous chroniclers of the battle scenes. But as far as the Government, the Military Authorities, and Society are concerned, these innocent victims of Yahoo barbarous ethics have been regarded and treated as though they were but mere *animated machines*, undeserving even of the very slightest consideration. And it is to be recorded to the added disgrace of Christian civilisation that so much is this the fact, that to the generous offer of a humane association to supply, at their own cost, veterinary experts, whose office it should be to put an end, as soon as the temporary cessation of hostilities permitted, to the tortures of the wounded (equine) victims, a deaf ear was turned by the authorities as being opposed to military precedent! This single disgraceful fact, of all but incredible callousness, we dare to affirm, in itself and by itself, ought to brand the very name of “war” in general, of the present war in particular, with an inerasible stigma of barbarity of which the most savage human tribes might well be ashamed.\*

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\* For the everlasting shame of Christendom the higher minds of pre-Christian ages—guided by the light of reason and of conscience—discerned and denounced both the irrationality and the essential barbarity of war. To refer but to the more distinguished of these accusing teachers of a higher morality—Plutarch (in his “Parallel Lives”), Porphyry (in his eloquent treatise on the Humaner Living), Lucian (in one of his “Dialogues”), Cicero (in the best of his writings, “On Moral Duties”), and Seneca (in his admirable “Epistles” and “On Clemency,” &c.), express, in different degrees of reprobation, this higher feeling. The best poets of Hellas and of Italy, as Euripides, Virgilius, and especially Ovidius (see, in particular, “Metam,” xv.), exhibit, in this most significant department of ethics, consciousness of the real character of inter-human butchery. Even the oldest and most famed of all the poets of militarism, by the epithets which he applies to it, seems to be sensible of its horrors. It is a remarkable fact that the poet of the “Iliad” epic exhausts the rich vocabulary of his language in the invention of terms expressive of its frightfulness. Out of some forty epithets applied to war *thirty-five* are of this character. A

Such will be the just sentence pronounced beyond all doubt by the impartial tribunal of History. The better reason and the resistance of the small minority in the Press, in the Representative (or Unrepresentative) House, and in the more enlightened part of Society, to the violent war-fever epidemic excited by the Jingo Press, and to the "patriotic" ferocity of the immense majority during these years of mad *Kriegslust*, is the one gleam of light in the moral darkness. Never before in the social or political history of this country—since, at least, the War of Independence in North America, or since the tremendous struggle against the Slave-Trade—has there been so much enthusiasm (the much-abused word is here used with all propriety) aroused in the always small minority of the better-thinking and better-feeling, in face of every sort of deterrent and discouragement as well from the base calumnies and innuendoes of a corrupt and unscrupulous Press as from the industriously-excited mob violence—excited by the leading members of the Government no less than by their servile followers. In spite too of the shameful defection of the *fainéant* leaders of a so-called Liberalism, and (with few honourable exceptions) of the Nonconformist or Free Churches, without whose moral or rather, immoral, aid and abetting and connivance the Government must have long hesitated, or even must have shrunk from the responsibility of the great national crime.

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highly instructive fact, unnoticed (as far as we are aware) by any of the multitude of his commentators and translators.

We can cite here but one of the most significant of the utterances of pre-Christian—truly inspired—philosophy upon this crucial test of morality. "What profit," demands Seneca, "is it to employ time which might be spent in honourable pleasures in inflicting pain and torture upon any of our fellow-beings? . . . Why do we madly rush to battle? Why do we provoke quarrels? Why, forgetful of the wretchedness of mortality, do we engage in gigantic enmities? Feeble and fragile creatures as we are, why will we strive to crush our neighbours? . . . Behold! death comes, which makes us all equal. While we can, in this mortal life, let us cultivate humanity. Let us not be a cause of fear or danger to any of our fellow mortals." No distinguished modern thinker has enforced so often those condemned truths as the author of the immortal *Essai sur les Mœurs et l'Esprit des Nations*.



But what, on the other hand, for the consistent humanitarian and for the profounder student of human history, must necessarily largely modify the slight consolation derivable from such reflection is the apparent unconsciousness of the chief representatives of anti-Jingoism of the real, underlying, *natural* causes of these tremendous moral epidemics. In all the (absolutely) enormous anti-war literature—in newspapers, pamphlets, books—characterised though it is, for the most part, with earnestness and eloquence, there is no recognition of the certain and important truth, founded upon all experience, that from like causes spring like effects—that as from the living root the noxious weed grows inevitably, as virulent physical disease implanted in the human constitution is to be healed only by radical treatment, so virulent moral disease is to be successfully and reasonably treated by analogously radical moral methods. The direct, immediate, temporary causes of those moral cataclysms, indeed, are sufficiently recognised and exposed; but the *mediate*, and *permanent* causes—the very sources and origins of the evil—seldom or never are profoundly investigated or even acknowledged. As the philosophical poet of “The Nature of the Universe” traces the horrible superstitions that devastate and desolate the human world to ignorance of physical causes—*ignorantia causarum*—so, analogously and equally, to the ignoring of *final* causes in the moral world is to be assigned the continued prevalence or, at least, existence—if in mitigated form—after the passage of countless ages, of some of the most virulent moral diseases that have afflicted our diminutive planet.

In a future number of this REVIEW we hope to examine the final causes of these effects.

HOWARD WILLIAMS.

## REVIEWS.

*The Personality of Thoreau.* By F. B. SANBORN. (Charles E. Goodspeed, Boston. 1901. Three dollars, net.)

*Pertaining to Thoreau.* (Edwin B. Hill, Detroit. 1901.)

*Thoreau, his Life and Aims.* By H. A. PAGE. A new edition. (Chatto and Windus, London. 1901.)

Nothing could more clearly prove that the influence of Thoreau's genius (long delayed by the misrepresentations of Lowell and other critics who were incapable of understanding a life lived on a higher plane than their own) is now at length in the ascendant than the number of books which continue to be published about him both in America and England. We have here three before us, all dated 1901, and it is an open secret that others of much interest are forthcoming. Evidently Thoreau is destined to be an increasing force in literature as the years go on; and, as the pioneer of the school of humane naturalists, he must always have a great and special attraction for humanitarian readers.

Mr. Sanborn's "Personality of Thoreau" is one of the most important additions to Thoreau literature that have been made for some years. Mr. Sanborn, himself a friend, and biographer, of Thoreau, speaks with the authority of personal knowledge of his subject, and supplements in several interesting particulars what we already know from earlier sources. The book contains a facsimile of Thoreau's manuscript, and is got up in a style which does much credit to the publisher. The edition is limited to 500 copies on hand-made paper, and 15 on vellum.

"Pertaining to Thoreau" is a reprint of ten early criticisms or appreciations of Thoreau, by George Ripley, James Russell Lowell, Edwin Morton, Bronson Alcott, Storms Higginson, John Weiss, and other writers, all taken from sources now somewhat inaccessible, and therefore of much value to Thoreau-students. Lowell's article is of special significance, because of the contrast it affords to his later and better-known criticism, which was written *after* his friendly relations with Thoreau had ceased and is tinged with animus throughout. Extremely interesting, too, are the views of Thoreau given by Mr. Storms Higginson in the *Harvard Magazine* for 1862, from his schoolboy reminiscences of Concord a few years earlier. The book is prefaced by a note by "S. A. J.," which will be recognised as the initials of one of Thoreau's most earnest students and admirers.

"Thoreau, his Life and Aims," by H. A. Page (Dr. A. H. Japp), has the distinction of being the first book published in England about Thoreau, and did much to attract attention to his remarkable personality. A reprint of this genial and interesting work will be widely welcomed.

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*Captain Jinks : Hero.* By ERNEST CROSBY, Author of "Plain Talk in Psalm and Parable." (New York and London : Funk and Wagnalls Co. 1902.)

The idea of this satirical laudation of the modern "hero" is excellent, and Mr. Crosby has cleverly seized and stigmatized the most vulnerable features in the military character—its mingled cruelty and sentimentality, its commercialism, its entire lack of humour, and, above all, its blank idiotic brainlessness. The defect of the book lies, we think, in its excessive length; for it is dangerous to spin out a joke to the extent of nearly four hundred pages, and though there are not a few passages that have the true sting of satire, there are others that seem somewhat laboured and overdrawn. The book affects to be a biography of a "perfect soldier," Captain Sam Jinks, from the hour when he first plays with lead soldiers in his infancy, to the time when, after being boomed as a hero by a journalistic friend, representing the *Metropolitan Daily Lyre*, he sinks into a state of premature childishness and decay. The leading characteristic of the perfect

soldier is his abnegation of all right to think for himself, and his cheerful acceptance of every incident—shameful or otherwise—of the military profession. And this is the end of his career:—

“After the lapse of three weeks Cleary received the sad news that Sam had shown unmistakable signs of insanity, and had been removed to an insane asylum. . . .

“‘Captain Jinks is a dear fellow,’ said the doctor, in response to his inquiries. ‘We are all fond of him. At first he was a little intractable and denied our right to direct him, but now that we’ve got it all down on a military basis, he will do anything we tell him. I believe he would walk out of the window if I ordered him. But I have to put on a military coat to make him obey. We keep one on purpose. As soon as he sees it on anybody he’s as obedient as a child.’ . . .

“Cleary saw what seemed to be the shadow of Sam, pale, haggard, and emaciated, sitting in a shabby undress uniform before a large deal table. Upon the table was a most elaborate arrangement of books and blocks of wood, apparently representing fortifications, which were manned by a dilapidated set of lead soldiers—the earliest treasures of Sam’s boyhood.

“‘He sits like that for hours,’ said the doctor. ‘It’s a kind of hypnotism, I think, which we don’t quite understand yet. I am writing up the case for the *Medical Gazette*. It’s a peculiar kind of insanity, this pre-occupation with uniforms and soldiers, and the readiness to do anything a man in regimentals tells him to.’

“‘It’s rather more common, perhaps, out of asylums than in them,’ muttered Cleary.”

How common the disease has become in this country during the past three years is but too well known to humanitarians. We welcome Mr. Crosby’s book as an able protest against the hateful craze of militarism, the more telling because it emphasises what is too often overlooked—the *silliness* of the modern soldier. The typical soldier may, or may not, be a hero; he is certainly a fool. Let us hope that if the sense of humanity does not put an end to militarism, the sense of humour will do so.

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*Resurrection.* By LEO TOLSTOY. Translated by Louise Maude. Completely revised, and with an Appendix containing fresh matter. (Grant Richards, 48, Leicester Square, London, W.C. 1902. 6s.)

This handsome illustrated edition of Tolstoy’s great novel takes precedence of all others that have been published, and



much praise is due to Mr. and Mrs. Aylmer Maude for their indefatigable services in producing so faithful a version of a work which is a veritable mine of humane principles. There is a preface by Mr. Aylmer Maude, which throws interesting light on Tolstoy's attitude towards various social problems, but suffers perhaps from being too lengthy and diffuse, touching as it does on a somewhat incongruous succession of subjects, philosophical, critical, and personal. We are sorry that in his remarks on the English prison system Mr. Maude should have quoted so discredited an authority as Sir Robert Anderson. But in all that directly concerns Tolstoy there is no better interpreter than Mr. Maude, and we commend this edition of "*Resurrection*" to our readers as one with which all humanitarians should be acquainted.

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*Iolans: An Anthology of Friendship.* Edited by EDWARD CARPENTER. (Swan Sonnenschein & Co., London. 1902. 5s.)

This beautifully got-up book contains a number of very interesting passages, in prose and verse, illustrative of the sentiment of friendship in ancient and modern times, and strung together with a running comment by the editor. The extracts are arranged "in a kind of rough chronological and evolutionary order from those dealing with primitive races onwards," with the result, as the editor says, that "the continuity of these customs comes out all the more clearly, as well as their slow modification in course of time."

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*What is Religion?* By LEO TOLSTOY. (Free Age Press, Christchurch, Hants. 6d.)

This book, together with *On Life* and *What I Believe*, forms the commencement of a cheap uniform edition of Count Tolstoy's writings, issued by the Free Age Press, which has published much excellent literature in a handy form.

## NOTES AND CORRESPONDENCE.

### THE HOWARD ASSOCIATION.

*To the Editor of THE HUMANE REVIEW.*

SIR,—“Appellant’s” article criticising the Howard Association, which appeared in the April issue of *THE HUMANE REVIEW*, is in very pleasing contrast to some of the attacks recently made upon the Association by persons who apparently refuse to take any pains to make themselves acquainted with its real aims and policy. Fair-minded criticism no one can object to; it is indeed an advantage, as affording opportunity for what may be a fruitful discussion of principles. Thanks are due to the writer for the spirit in which he has written, and there is much in his article, especially in the latter portion, with which one can cordially agree.

By the courtesy of the Editor I am permitted to point out briefly where the critic seems to have misjudged the Association. He begins by objecting to the use of the name of Howard, on the ground that Howard devoted himself to advocating greater leniency in the treatment of criminals, and that the Association has wider aims in view. It is suggested that some whose names appear as friends of the Association have been deluded, by the name, into the support of what they cannot really approve. The best answer to this is that, with scarcely an exception, they continue their subscriptions to aid its work—the nature of which is kept continually before their notice. I have been astonished, during the few months that the Secretaryship has been in my

heads, at the corroboration of the support we receive from men and women of warm hearts, enlightened views, and wide experience.

Is it really likely that John Howard, if he were still living, would content himself with merely urging more "leniency" towards prisoners? Surely one may believe that his horizon would have widened. The grave abuses to which he called attention have in civilised countries—though it took nearly a century to do it—been remedied. In a few dark corners of the earth, as in Morocco and in some of the Southern United States, such abuses still remain; and, curiously enough, it is made a subject of complaint that the Howard Association devotes attention to them. But the prisons of the leading countries are not now abodes of systematic cruelty and neglect, or sinks of physical and moral filth, tainting every inmate. Speaking broadly, the demand of the civilised conscience that no avoidable cruelty shall be used, and moral contamination as far as possible avoided, has been met. In mechanism and routine the prisons of to-day are probably such as Howard never dreamed of.

Does this mean that the problem of the treatment of crime is solved? Certainly not. But it does indicate that the question has passed out of the phase of mere "leniency" into a higher stage, in which we are beginning to recognise that the real question is not one of mechanism and routine, but of character. You cannot get out of a machine more than you put into it. No machinery, however perfect, can turn bad characters into good ones; real reform must come from the contact of heart with heart, mind with mind, soul with soul. It is from this point of view that one welcomes the last two pages of "Appellant's" article; in which, however, it is strange to find him suggesting that

"The Association is too much impressed with the idea that reformation is a mechanical process, and that with proper machinery we can turn a criminal into a law-abiding citizen, provided that we keep the machine going for a sufficient length of time."

If our critic had really studied the literature issued by the Association, he would know that its real position is the precise opposite of this. He seems to think that our advocacy of the cellular system, and of cumulative sentences, depends upon the idea that imprisonment *per se* is calculated to work reform. Anyone who entertained such a notion might well be called a

doctrinaire. But the Association, while adhering to the principle that deterrence of the criminal himself, and of others, must be kept in view, has always advocated reforming agencies. It has urged that, in the selection of governors and warders, trained service and high character should ever be a primary consideration; and personal acquaintance happily shows that to a large extent it is so. It has advocated not bare solitude but association with all—whether warders, teachers, chaplains, or prison visitors—who could bring remedial influences to bear.

Similarly in regard to the demand for the gradual cumulation of sentences. The writer thus suggests what he supposes to be the ground on which this advocacy rests:—

“Imprisonment, it is alleged, does not reform the majority of criminals, simply because the terms to which we sentence them are too short. Long sentences combined with seclusion are required in order to reform them.”

The completeness of the misunderstanding which this passage reveals may be judged by comparing it with a quotation from Mr. Tallack's *Penological and Preventive Principles*:—\*

“It is a wide-spread and obstinately seated popular delusion—prevalent amongst many influential and intelligent persons—that mere *length* of detention is the chief penal and preventive element. Whereas time tends to form habits of adaptation, and to diminish the really penal and therefore deterrent effect of that severity which can only be borne for comparatively short periods.”

It will be seen that Mr. Tallack's view (which may be taken to represent that of the Association) is on this matter practically the same as the critic's. The greater deterrent effect of longer sentences is not the main reason why they have been urged as desirable in the case of hardened offenders, or those in danger of becoming so. The chief reason why the extremely short sentences, now often given for repeated offences, are objected to by practical penologists, is that they afford little or no time for reforming influences to be brought to bear. Prison Governors have repeatedly said to me, “What can you expect us to do for a man who is only in our hands for a week or two? You can hardly teach him anything in less than six months.” The writer of the article quotes a sentence from the last Report of the Association as if it implied that time was all that was needed:—  
“The eradication of bad habits, and the formation of good ones,

---

\* New Edition, 1896, p. 171.



must be a matter of time." But three pages further on the Report says :—

"Owing to the very short terms of detention of the great body of prisoners (except the 'convicts') the Local Jails *find great difficulty in teaching useful industry.*"

And in the next paragraph allusion is made to the advocacy, by the Association, of "Sloyd" or manual training as an essential part of prison discipline. These hints alone should have been enough to prevent the writer from supposing that the Association has ever relied upon time and separate confinement as being in themselves reformatory.

The assertion that, in advocating the gradual cumulation of sentences, we seek to deprive Judges of all discretion as to the sentences they inflict is not correct. Where the conditions are almost infinitely varied, the attempt to take away discretionary power would necessarily fail. All that is desired is that it should be a general practice (which it is surely not impossible to secure by legislation) that for each repetition of serious crime the sentence shall be *somewhat* heavier than the last,—say, that it shall be increased by not less than one-fifth. So far from this necessarily leading to *very long* sentences, it is to be hoped that in many cases the certainty of longer imprisonment would be more effectual in pulling up an evil-doer in time, than the happy-go-lucky plan by which he may get anything, from three months to seven years. The satisfaction which the Recorder of Liverpool is said to feel in his system of very short sentences is due to the decrease in the number of criminals brought before him; but it has been suggested that this has another explanation, viz., that many magistrates, knowing his method, and considering it hurtful, avoid where possible remanding prisoners to be tried by him.

The assertion that "what is required to increase the deterrent effect (of prison discipline) often lessens the chance of reformation, and *vice versa*," may be accepted as true, and as indicating one of the very serious problems towards the solution of which we have begun to feel our way. There is much force in the argument that if we think *only* of deterrence we do not reform, and do not even effectually deter. Certainly there is no evidence that the former ferocity of sentences did much, if anything, to diminish crime. On the other hand, there is evidence that sentimental laxity increases crime, besides being unjust to hard-working

taxpayers who are called upon to find the funds for maintaining criminals. Probably, whatever exaggeration there may have been, and whatever lessons may have to be learned through experiment and partial failure, we must thank the American and other reformers for establishing this great principle: that the business of society is mainly to think of reformation, and that, as this is carried out on wise methods, deterrence from crime and the protection of society will very largely take care of themselves. But the methods adopted must not lose sight of the fact that inconvenience and loss of liberty, with a large measure of strong and even stern discipline, is one of nature's methods of effecting reform. Even the actual infliction of physical pain may be justifiable, provided it is done, not as a piece of cold-blooded routine, but in a real spirit of mercy to the wrong-doer. If this condition is hard to secure in the case of parents and school-masters, how much harder is it in the ordinary course of prison life?

One may sorrowfully agree with the writer that, from the point of view of reformation, and therefore from an ultimate standpoint, our present prison system very largely fails. It does not therefore follow, that it must be altogether abandoned in favour of a mandlin "leniency." Even as it is, the fact that nearly one-half of our prisoners are *not* recommitted shows that it does not wholly fail.\* What we have to remember is, that we shall never get reformation of character out of any mere system, however good in itself, if it treats men and women simply as parts of a machine. All depends on the persons who work the system, and on the influence they can bring to bear on individuals. We do well to press on our authorities the need for progress in the direction of far more definite and systematic training of young prisoners, physical, mental, and moral. This is the great achieve-

\* Number of commitments on conviction to Local Prisons during year ended March 31st, 1901:—

|                               |    | MEN.    | WOMEN. | TOTAL.  |
|-------------------------------|----|---------|--------|---------|
| Previously convicted .. ..    | .. | 53,260  | 33,694 | 86,954  |
| Not previously convicted .. . | .. | 48,233  | 12,846 | 61,079  |
| TOTAL .. ..                   | .. | 101,493 | 46,540 | 148,033 |

From Report of Commissioners of Prisons, 1901.

ment of the experiments we associate with Elmira. The Prison Commissioners are plentifully endowed with English caution, but it is happily a mistake to suppose that they are satisfied with things as they are.\* The recent report by Mr. Ruggles-Brise of his visit to Elmira and other American reformatories, and the opening of a reformatory prison at Borstal, now in progress, show that the need for improvement is felt at headquarters.

What we can wisely do is to impress upon the authorities and upon the country that money spent freely upon diminishing the supply of habitual criminals is well spent, and is cheap for the community. In Mr. Tallack's words :—

"It has been repeatedly forgotten in practice that the most truly economical form of criminal treatment is that which eventually reduces the number of offenders to a minimum." †

And the strong remarks upon recidivism, made by the Prisons Committee of 1895, show that this is becoming much more widely recognised.

"It appears to us that the most determined effort should be made to lay hold of incipient criminals, and to prevent them by strong restraint and rational treatment from recruiting the habitual class. It is remarkable that previous inquiries have almost altogether overlooked this all-important matter. The habitual criminal can only be effectually put down in one way, and that is by cutting off the supply." ‡

I venture to hope that Humanitarians, whose work on behalf of kindness to animals is worthy of all praise, will give the Howard Association credit for a genuine desire to continue the work of prison reform, and that, by friendly discussion and experience, we shall make progress in discovering the right methods, at once of protecting society, and dealing in a spirit of real humanity with those who injure it.

EDWARD GRUBB,  
Secretary of the Howard Association.

Devonshire Chambers,  
Bishopsgate Without, London, E.C.

---

SIR,—I have written a review of Mr. Tallack's *Penological and Preventive Principles* for the next issue of THE HUMANE REVIEW

---

\* It is also, as I know by personal intercourse, quite untrue to say, as the writer does, that prison governors as a class "do not aim at reforming prisoners, they only seek to deter them."

† *Op. cit.*, p. 260.

‡ Report of Prisons Committee, 1895, p. 11.

which meets by anticipation some of Mr. Grubb's objections to my previous article. But I am at issue with Mr. Grubb when he says, "Speaking broadly, the demand of the civilised conscience that no avoidable cruelty shall be used and moral contamination as far as possible avoided has been met." Every day's imprisonment that is not necessary for the protection of the public, is "avoidable cruelty." Mr. Grubb may perhaps be referring not to the sentences but to the mode of carrying them out—the state of our prisons—but if so, what right has he to conclude that "the stage of mere leniency" is passed, or that our present sentences might not be advantageously shortened? With regard to the duration of imprisonment, it is evident from his present letter that Mr. Grubb objects to short terms (as imposed, for example, by Mr. Hopwood) because reformation cannot be effected in a short time, and the Association has insisted on sentences of considerable length in a pamphlet entitled "The Essential Element of Time," as well as in the Report from which I quoted. Mr. Grubb says, indeed, that length of time is only necessary in order to bring the prisoners into contact with reformatory agencies. Those which he mentions can hardly be regarded as reformatory, and the general rule is that prisoners are not reformed by imprisonment, whether long or short, but the very reverse. Mr. Grubb denies this on the ground that the majority of those who are once convicted are not reconvicted. The reason is, I apprehend, that the majority of these first offenders are not criminals. They offended once, perhaps in some trifling way, and would never offend again even if not caught or if acquitted, and I believe that those who are released under the First Offenders Act, or let off with a caution, are just as unlikely to return as those who are brought into contact with the alleged reformatory agencies by means of actual imprisonment. Mr. Grubb may be more correct as to the intentions of the Governors of Prisons than I am, but he will hardly contend that they have effected much in the way of reforming the prisoners. In any event, would not the proper course be not to lengthen the terms of imprisonment, but to bring the prisoner into more frequent contact with reformatory agencies admitted freely from without? Why should a Prison Gate Mission have to wait outside the gate?

As to cumulative sentences, I do not see how the prisoner can look forward to the certainty of a longer one (on which so much



stress is laid) if the judge may in his discretion pass a shorter. But I must not trespass too much on the space of *THE HUMANE REVIEW*. The Howard Association according to Mr. Grubb is (in its criminal department) a Society for Prison Reform—viz., a Society for reforming the prisoners. This is a very good object, and I wish it success. But why does the Association go out of its way to assail the advocates of leniency? Leniency, as Mr. Grubb himself points out, belongs to a different field from reform. Why then charge the advocates of leniency with “laxity” or “maudlin sentiment,” and speak of them as if they had no grounds whatever either in reason or experience for their tenets? Even in his present letter Mr. Grubb disparages Mr. Hopwood because his experience is comparatively small. Is there any reason to conclude that if he sentenced a larger number of prisoners the result would be different? And Mr. Tallack often cites persons whose experience is much smaller than Mr. Hopwood's.

Mr. Grubb refers to the cost to the public of the system of leniency. What does he think of the cost of sending a man to penal servitude for a petty theft because he has been guilty of three or four previous thefts of the same description? Supposing short sentences to be as effective as long ones, they are less expensive to the public. If a man is kept in penal servitude for twenty years, what equivalent does the public obtain for his maintenance during the last ten?

The advocates of leniency have as good a right to the name of Howard as the advocates of reform. Why should the latter go out of their way to attack the former, using for the purpose the name of a philanthropist who aimed rather at leniency than reform?

APPELLANT.

---

#### “FAILURES OF VEGETARIANISM.”

WITH reference to a review that appeared in our last number, we have received the following letter from Mr. Eustice Miles:—

SIR,—Will you allow me to reply to your criticism of “Failures of Vegetarianism”?

You accuse me of “hitching on my little go-cart to the vegetarian waggon,” and of “having myself totally failed to interest the public in my own presentation of what I call ‘the simpler foods.’”

In the first place, the basis of my diet was, at the start, dried casein. I am not aware that this was a "vegetarian" basis at all. I fail to find it mentioned in any "vegetarian" book of a few years ago. My experience of this food-basis was so thoroughly satisfactory that I recommended Protene—I now prefer Plasmon, which is a milk proteid prepared by a superior process—as *worth trying*. Here again I differ from "vegetarians" in general. I lay down no laws about the best food for man or woman. I urge people to experiment fairly, and then to judge entirely by results.

Have I failed to interest the public? I have been repeatedly told that "Muscle, Brain, and Diet" has already induced thousands to try the simpler foods, in England alone. By one post I received nearly 100 letters of enquiry from America, and I may mention that the book *has* appealed to large numbers who regarded "vegetarianism" as a mere fad and would have none of it.

You have misunderstood my suggestion about the new name. It was that the public itself should be invited to suggest a new name. I purposely mentioned that my samples were *not* to be substitutes.

"The reason why the majority of people reject vegetarianism is because they like flesh food and are determined to have it." That is a matter of opinion. In athletics I have had opportunities of gauging the opinions of important and influential men, and their chief reason has been lack of faith in the *nourishing* power of vegetables (as cooked in England). These men are right. But when I tell them what my diet is, they usually say "Oh, I didn't know that this was vegetarianism, I shouldn't mind trying *this* for one meal." They are not the public, but they are those whom the public is willing to imitate! They want to have an efficient basis and *staple* to take the place of meat. I believe that, if you were able somehow to collect the names of those who might never have tried "Vegetarianism," and who have tried such a basis as Plasmon, instead of meat, and who have been benefited by the change, you would find that the numbers would reach many thousands.

I should like you to write to General Booth, Dr. Haig, Dr. Perks, Mr. Albert Broadbent, Mr. H. Light, Mrs. Earle, Mrs. Leigh Hunt Wallace, Miss Nicholson, and other leading vegetarians, and ask them whether in their opinion I *have* failed as a propagandist. The report which I most frequently hear is to the effect that I have offered people in a sensible way what they were ready to listen to, and that I do not claim for my diet more than I have a perfect right to claim for it, viz., a free judgment after careful trial. My "little go-cart" there leaves the beaten track of "Vegetarianism."

I will say no more except to add that your critique could hardly be classed under "Humane Reviews."

Yours truly,

EUSTACE MILES.

In reminding Mr. Miles of his indebtedness to the vegetarian movement, we had in view not any question of the selection of "vegetarian" foods, but the fact that it is largely owing to the labours of vegetarians in the past that so many books on food-reform can find publishers to-day.

As regards Mr. Miles's "failure," we have not the slightest wish to depreciate his work as an advocate of the simpler foods; indeed in reviewing his "Muscle, Brain and Diet," just two years ago, we expressed our sense of "the considerable service which he has rendered to the cause of food-reform." What we have criticised is the very depreciatory tone of his own references to "vegetarianism" and the unfriendly attitude which he adopts towards "vegetarians" as a class. Mr. Miles has written a book to show that vegetarianism has "failed," *i.e.*, failed to interest the general public. We pointed out that Mr. Miles has himself failed to interest the general public. That he has received congratulatory letters from many quarters we do not doubt, and we are very glad to hear it. But that is a very different thing from influencing the public mind.

We did not in the least misunderstand or misrepresent Mr. Miles's suggestion about the new name that is to take the place of "vegetarianism." He himself describes his MAGNUS and P.U.R.E. as "two alternative names," which he asks vegetarians "to contrast with their name, vegetarianism." We were quite justified, therefore, in so contrasting them. It is true that Mr. Miles says that the names were not offered by him as satisfactory ones; but why then did he mention them? He cannot have it *both* ways.

Mr. Miles thinks that our criticism of his book "could hardly be classed under Humane Reviews." That all depends on what is meant by humaneness. In our opinion it is no part of a humanitarian writer's duty to pretend that a bad book is a good one, or to shrink from informing a too self-assertive writer that people who live in glass houses should not throw stones. We have personally nothing but a friendly feeling for Mr. Miles, whose distinguished success as an athlete has once again proved that the use of flesh food is not essential to health. But he is mistaken in supposing that vegetarianism is a failing cause which needs him as a saviour, or that he is called upon to act as its Candid Friend.

## A TALK WITH RUSKIN.

We have received from a correspondent who has been interested in reading Mr. W. J. Jupp's article on Ruskin in the April number of *THE HUMANE REVIEW* the following notes of a visit to Coniston :—

" More than twenty years ago I happened to be spending a Christmas holiday in the Lake District, being drawn there by a love of mountain walking, which has as great attractions in winter as in summer. This was especially true in the winter of which I am speaking, when a spell of severe frost and cloudless sunshine combined had turned the Lakeland mountains into a strange realm of enchantment, the rocks being fantastically coated with fronds and feathers of snow, and the streams and waterfalls frozen into glittering masses of ice. I was at Coniston, the only visitor in the place, and for several days had been scrambling over the range of the Old Man mountain without meeting a human being in my walks; when one afternoon, at some point high up under the crest of the Old Man, a solitary figure came suddenly round a buttress of the hill, and stalked silently past me as if wrapped in thought. I knew at once it must be Ruskin; for what other inhabitant of Coniston would be on the fells at such a time?

" A day or two afterwards another visitor, Mr. —, made his appearance at the hotel, and proved to be a friend and correspondent of Mr. Ruskin's, who had come to see him on business. Mr. — and I were thrown much together at the hotel, and I acted as his guide in a mountain walk, which was a new experience to him. Hearing of this, Mr. Ruskin sent us a joint invitation to lunch, and it is to that occasion that the following notes refer. They were written down shortly afterwards, and, as far as they go, give an accurate account of Mr. Ruskin's conversation.

" When we arrived at Brantwood, Mr. Ruskin first took us into his study, where we sat till lunch was ready. The view from the windows was very beautiful, looking west across Coniston Lake to the Old Man. He said, however, that he had been disappointed in the sunsets, as the sky about the Old Man was often sulky and overclouded, which he attributed partly to the copper-mines.

" He talked about his books and bookshelves, saying what pleasure he took in arranging and re-arranging them, and that no servant in his house would ever dare to touch or dust any one of his books, if it lay on the table for months.

" He spoke of courage and the love of danger for danger's sake. He said he himself could sympathise with almost every feeling he had ever heard of, and every vice, except perhaps malice; but he had never felt any enjoyment in being in perilous positions, as in Alpine climbing, etc., though if occasion arose he had no lack of courage. Still he admired the feeling in others though he could not share it himself. He spoke of Lieutenant Edwardes in the Punjab. He said that in the case of Shelley, who delighted in boating on a rough sea though he could not swim, we saw the 'high heroic spirit,' though led astray through the fault of those who should have guided him. He spoke severely of the Oxford authorities, as regards Shelley's case, and



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# THE HUMANE REVIEW.

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## THE POEMS OF JOHN BARLAS.

READERS of the HUMANE REVIEW probably know but little of the writings of John Barlas; and if we were to explain that his work was published under the *nom de plume* of "Evelyn Douglas," they would not be much the wiser. We will not pause to inquire how it is that the literary critics, who are for ever on the look out for new poets, have failed to "discover" Barlas: it is certain that he is practically an unknown poet,\* yet we think it may be shown that he is a real one. It seems especially desirable that humanitarians should not be unacquainted with him, because, though he is as far as possible removed from any suspicion of being a "didactic" writer, there is a spirit of humaneness in his poems which is unfortunately rare in our literature. Here is something that has been said of him in one of the very few appreciations that have been published:—

"Of all rebels against the existing state of society, none perhaps are so irreconcilable as the passionate lovers of beauty and nature, who, like Richard Jefferies, are for ever contrasting the actual with the ideal, the serfdom of the

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\* It is significant that Barlas has no place in Mr. William Archer's "Poets of the Younger Generation."



present with the freedom of the years to come. It is to this order of heart and mind, children of a golden past or a golden future, that Barlas belongs. He is, if ever poet was, a Greek in spirit, but he possesses also in a high degree the modern sense of brotherhood with all that lives. A fiery impatience of privilege, authority, commercialism, breathes through all his writings, and therefore, like all poets who have held these burning thoughts, he is lonely, a stranger, an exile, as it were, from some Hid Isle of Beauty, who has been stranded on savage shores."

Barlas's first volume, "Poems Lyrical and Dramatic," appeared in 1884, and was followed during the next ten years by six or seven others, of which perhaps the most noteworthy are "Phantasmagoria" (1887), "Love Sonnets" (1889), and "Songs of a Bayadere and Songs of a Troubadour" (1893). None of his works appear to have attracted any attention among critics, except here and there the praise of a discerning reader like Mr. George Meredith; and it can well be imagined that this neglect must have been a bitter disappointment to a proud, high-spirited, keenly sensitive nature, conscious of its own powers, yet shrinking from asserting itself to claim the recognition it deserved.\* For certainly no poet ever worshipped his muse more faithfully than Barlas did; we see from many tokens that his poetry was a great part of his life. In his "Ode to Euterpe," for instance, one of the most passionate and melodious of his poems, he thus refers to his unrequited devotion to the goddess of song:—

" I have seen thee in forests and mountains, in stars, and the throb of  
the storm,  
Through the pillars of granite in caverns have caught a stray glimpse  
of thy form;  
In the infinite frenzy of music have heard thee, in sobs, and in tears,  
In the agonies deep below hell, and the raptures high over the spheres.  
" In the numberless sand of the shore, in the numberless laugh  
of the sea,  
In the sunlight, the moonlight, the starlight, the light of eyes lighted  
by thee,

---

\* The books are now out of print and very difficult to obtain. The British Museum has a complete set. Some of them may be obtained from Mr. Arthur Thomas, Silver Street, Leicester.

The scorn that cast over the world, the love that was deeper  
than death,  
The love that has fed me with calm, and the strife with tempestuous  
breath.

"Where, where upon earth art thou not? Having kissed thee, who  
robs me of mine?  
Not famine, nor fever, nor fear; I have known thee, and thou art  
divine,  
Have caught thee, and held thee, and kissed thee, and called thee  
mine own to the grave,  
And all thine ineffable love has gone over my soul like a wave.

"Yet the unendurable throb of the hearts that have warmed with thy  
wine  
Still beats to us swan-like music and agonies more than divine,  
O'er deserts of centuries still from the vocal oases of eld;  
But to me thou hast given the pangs, and the chaplet of bay-leaf  
withheld."

Whether the "bay-leaf" will be wholly withheld in this  
case it is perhaps too early to determine, and it is difficult  
to believe that such poetry as that of Barlas at its best can  
be permanently overlooked; but as to the "pangs" there  
can be no doubt, for the life that was already overcast by  
failure and misfortune has now for some years been wholly  
darkened by insanity.

An idealist in the truest sense, Barlas is ever aspiring in  
his poetry not only to an enjoyment of what is best and  
most beautiful in nature, but also to a fairer and happier  
state of society among mankind. This is the inspiration of  
one of his early poems, "The Golden City," which, though  
its merits are not sustained throughout, has a number of  
stanzas that are steeped in the rich imagery and wealth of  
phrasing that its author loved:—

"I dreamed once of a city  
Of marble and of gold,  
Where pity melts to pity  
And love for love is sold,  
Where hot light smokes and shivers  
Round endless sweeps of rivers,  
A home of high endeavours  
For the stately men of old.

" O'er it no cloud's umbration,  
 No stain of tempest hue,  
 But throbbing and pulsation  
 Of endless depths of blue :  
 No fume nor vapour hoary,  
 Only a mist of glory  
 Inveiled it like a story  
 Of the beautiful and true.

. . . . .

" There gorgeous Plato's spirit  
 Hangs brooding like a dove,  
 And all men born inherit  
 Love free as gods above ;  
 There each one is to other  
 A sister or a brother,  
 A father or a mother,  
 A lover or a love."

And again in "The Isle of Dreams," one of the best poems in his "Phantasmagoria"—a strange volume of "Dream-Fugues," which, in its morbid intensity and tropical luxuriance of word-painting, is worthy to be classed with some of the most imaginative writings of De Quincey and Poe—he returns to this same Elysian vision of the ideal calm.

" In the soundless sea of sleep a magic island,  
 Coral-guarded in a still lagoon,  
 Waves with palmy vale and cypressed highland,  
 Gold with sunlight, silver with the moon.  
 He who, weary, on its shore emerges,  
 Hears no more the thunder of the deep,  
 Only dreamful booming of far surges  
 On the banks of sleep.

" Only on the girdling coral reefs the washings  
 Of the shifting tide of deep repose,  
 Only on the inner beach the plashings  
 Of the inner sleep the reefs enclose,  
 Of the still lagoon, the lake enchanted,  
 Steeped in Lethe, peaceful as the grave,  
 And dim rustling of the forest haunted  
 By the haunted wave.

" There are silver creeks and curves of golden beaches,  
 Golden sand, and silver dust of shells;  
 There the blue lake breaks in purple reaches  
 Far into the silence of the dells;  
 There the streams of thought run rippling laughter,  
 Sighs of longing and soft moans of love;  
 There the past is present, the hereafter  
 Opens out above.

" Soft ideals bend in rainbow arcs of glory  
 Dewy with the holy tears of youth,  
 And the hot sands bubble up with story,  
 And the cool rocks trickle down with truth,  
 And the coveted bright fruits of pleasure,  
 Globe-like, ready to the hand, allure  
 On the same bough with ripe wisdom's treasure,  
 And both fruits are pure."

No reader who has the sense of true poetry, who knows the gold from the dross, will fail to perceive, from what we have already quoted of Barlas's poems, that he is a singer of the genuine stamp. That, as regards the technique of his verse, he owes much to earlier poets—to Swinburne especially—is not to be disputed; but this indebtedness is always subordinate to a higher impulse which is distinctively his own. However closely he may resemble what has been called "the fleshly school" in his rich and sensuous temperament, he is wholly differentiated from them by a spiritual instinct which is never long absent from his verse. Thus in a strange fantastic poem, "The Valley of Devils," modelled somewhat on the style of Poe, he has characteristically portrayed the immemorial struggle between the spirit and the flesh :—

" Down in a valley of gems in the utmost recess of the Indies,  
 Flashing with torrents, and vocal with voices of waters that fell,  
 Of violent waters that fell,  
 Surging, and seething, and storming like foam from the base of the  
 Andes,  
 Turbid with gold, with the dust of fine gold in their fire-coloured  
 swell,  
 Like the gold-gleams that cloud the clear amber and faint with a  
 violet smell,



- " Glittered the whiteness of limbs, and re-echoed the murmur of voices,  
 The whiteness of revelling houris, the murmur of voices that sang,  
 Of musical voices that sang,  
 Singing at sound of whose sweetness the wanderer rests and rejoices,  
 Faint with the opiate swoon of a dream-love, and stung with the  
 pang,  
 With the terror and love for the serpent which lures the frail dove  
 to his fang.
- " And I passed on a ledge of the crags and looked over the dizzy dim  
 verges,  
 Looked on the rounded white flanks and the tangles of moon-  
 coloured hair,  
 On the storm-tost loose tangles of hair,  
 On the shoulder's rich swell, and the side's silver sweep, and the  
 breast's snowy surges,  
 And shuddered, and sickened, and swooned with the giddy sweet  
 wine of despair,  
 With the drowsy sweet wine of a sadness at things too ineffably fair ;
- " And I sank in among them aswoon with desire to make one of their  
 revels,  
 But all gone were the swan-like deep breasts, and with whispering  
 serpents I lay,  
 Amid clammy wet serpents I lay,  
 And I weltered all night in their spires, all that night in the valley of  
 devils,  
 At the sound of their voices aghast, to the slime of their poisons a  
 prey,  
 Which not all the waves of the ocean shall wash from my spirit  
 away."

It must not, however, be supposed that Barlas was a dreamer only, intent on the far horizon of a future which no waking eye has seen ; he was also an ardent lover of liberty and progress in the present, and this too finds worthy expression in his poems. It would be difficult to say where Freedom — the Freedom of the Revolution — has been more nobly presented than in his stanzas to " Le Jeune Barbaroux " :—

" Freedom, her arm outstretched, but lips firm set,  
 Freedom, her eyes with tears of pity wet,  
 But her robe splashed with drops of bloody dew,  
 Freedom, thy goddess, is our goddess yet,  
 Young Barbaroux.

"Freedom, that tore the robe from kings away,  
That clothed the beggar-child in warm array,  
Freedom, the hand that raised, the hand that slew,  
Freedom, divine then, is divine to-day,  
Young Barbaroux.

"We drown, we perish in a surging sea;  
We are not equal, brotherly, nor free;—  
Who from this death shall stoop and raise us? who?  
Thy Freedom, and the memory of such as thee,  
Young Barbaroux."

But it is as humanitarian that Barlas has most interest for the readers of the *HUMANE REVIEW*; and his "Love Sonnets" present us with the readiest illustration of this side of his character. It may be said without exaggeration that these sixty-four sonnets, unknown as they are to the reading public and to all but the merest handful of students, are not undeserving, judged by strictly poetical canons, to be set beside the great sonnet-sequences of English literature. Mr. Meredith has said of them: "It is in the sonnets that he [Barlas] takes high rank among the poets of his time. I think the concluding sonnet unmatched for nobility of sentiment, and the workmanship is adequate." Nobility of sentiment is indeed a trait of all Barlas's poetry, and it is characteristic of him that, whereas love-sonnets in general are confined to the subject of purely personal affection, *his* sonnets though full of most passionate feeling and expression, are inspired by a wider and more unselfish impulse—the love that overflows the narrow bounds of the personal, and embraces all fellow-mortals—all sentient beings—within its scope. What, for instance, could be more nobly written than the following?

"The office of the strong is to console,  
And the heart's purest joy; freely to take  
A world's woes on thee; with kind words to slake  
The sick heart of a brother; to make whole  
The mind's disease, despair, and to condole  
By brave example with the weak:—forsake  
Thyself for this, thou from ill-dreams shalt wake,  
A great peace growing up within thy soul.



Tears for another's pain are salve for thine,  
 And water not the spirit's dastard weeds  
 As tears shed for thyself, but nurse the seeds  
 Of high resolve: this sovereign anodyne  
 In souls sincere begets those words and deeds  
 So human that man names them best divine."

It is as refreshing as it is rare to find this larger spirit of love in what is called a love-poem. Nor is it to humans alone that Barlas's sympathies go forth; the lower animals also are included in his benison.

"The poor dumb creatures of the field, that call  
 So sadly to their young; whose narrow mind,  
 Consciously helpless, looks up to mankind  
 Through pleading, piteous eyes; that live in thrall,  
 Or, stricken in the shambles, groaning fall:—  
 Thinking of these how little grace they find,  
 And then of thee, who never wast unkind,  
 And of our love, I could weep for them all.  
 This is the gift of Love, that we, so blest,  
 Should feel for the afflicted; that we twain  
 Should be united against wrong and pain,  
 The slaughtered lamb, the wild bird's rifled nest,  
 And, most of all, the fraud and force that stain  
 Homes of the human poor and the oppressed."

From among the many exquisite things that Barlas has written we cannot resist quoting the following sonnet, though one may suspect that the poet's ornithology was at fault in making the carrier-pigeon fly in the night-time.

"Loosed from strange hands into the wet wild night  
 Straight to his home the carrier-dove returns:  
 The faithful love that in his bosom burns  
 Is as a lamp to guide his lonely flight:  
 He lingers not where sheltering boughs invite,  
 Nor backward from the gathering tempest turns,  
 Till far off in the distance he discerns  
 At the known casement the familiar light.  
 How many miles hath my poor spirit flown  
 This night to thee through wind and storm and rain,  
 Bearing thee word of many mystic things,  
 Till thou on thy soft pillow making moan  
 Didst hear it pecking at thy lattice pane,  
 And took it in, a dove with draggled wings."

We have spoken of the influence on Barlas's verse of so great a master of style as Mr. Swinburne, but it is to an earlier and far greater singer that we trace his spiritual kinship; we refer, of course, to Shelley. Like other poets of the latter part of the nineteenth century, Barlas had drunk deep of the Shelleyan fount; but he had done more than that—he had inherited in no small degree that divine spirit of gentleness, which is a still rarer and greater charm than the magic of spontaneous song. In some of his early poems, perhaps, he may be called an imitator of Shelley; but then how few poets there have been who *could* so imitate Shelley as in this passage from "The Day of Dreams," which breathes the very tone of "The Recollection."

"It was a day which might have been  
Born in earth's golden time,  
And through a blue and silver sheen  
The dawn began to climb;  
The stream lay silver in the sun,  
And calm as some dead child;  
Mute were the willows every one,  
They wept, while lo! it smiled;  
And there was one beside me then,  
A virgin pure and white,  
A shrine, an angel among men,  
A Heaven revealed to sight.  
This scene of placid loveliness  
Wears not a charm so meek  
As that which made her glances bless  
And tinged her marble cheek;  
And wheresoe'er her footsteps trod  
To me was holy ground.  
A saint may serve an unseen God,  
But I had sought and found."

After all, though the number of modern poets is now considerable—that is, of artists skilled in the production of beautiful and memorable verse—the born singers, the passionate hearts to whom poetry is as the breath of life, are still few and far between. It is to this small class, unless we are wholly mistaken in our judgment, that John Barlas, whatever his imperfections, belongs. If what has



been said in this article, together with the quotations that speak for themselves, should induce any of our readers to study Barlas's poetry, we think they will come to the conclusion that though there is much in it that is faulty and immature (it is, in fact, the work of a young man) there is also enough, and more than enough, of the priceless gift of song to justify the claim that has been made.

## A TALK WITH MISS JANE ADDAMS AND LEO TOLSTOY.

ONE day in Moscow, in July, 1896, I received a note from Miss Addams, enclosing a letter of introduction from a friend in England, expressing a hope that I should be able to take her to see Tolstoy.

It was hardly more than a stone's throw from our office to the hotel where Miss Addams was staying, and on calling there, later in the day, I found two very charming American ladies: the elder was Miss Addams, who had recently undergone a very severe and dangerous operation, and the younger was her niece, Miss Mary Smith, who had invited her, and insisted on taking her, to Europe for change and rest.

Till then I knew nothing of Hull House, Chicago, or its head; and, lest any of my readers should be in like plight, it may be well to tell briefly what then, and from other sources later on, I learnt of Miss Addams and her work. She came of a sterling, democratic, American stock; God-fearing and earnest. When quite a young woman she was laid up for years by an illness, and it was thought she would never be fit for active work, but, gaining strength, she and a friend of hers, Miss Starr, decided, instead of using their moderate incomes to secure as much of health and pleasure as possible for themselves, to settle in a slum quarter of Chicago

and do what they could to help and make friends of the poor, ignorant people who live there. Miss Addams and her friend had no formal programme, either limiting their scope or demanding more than they had strength to do. They believed in the moral government of the universe, and in the spirit of democracy: the brotherhood of man. Miss Addams, as events showed, was gifted with great capacity for organizing, for reading character, and for harmoniously fitting the work to the workers who came to help her. She had, withal, the great gift of humility, a gift as valuable to, as it is rare in, those who are very earnest in their work. It enables her easily and readily to learn by experience, to correct her own mistakes, and to discern the good in those who work in other directions than her own.

In a few years quite a large settlement grew up around them, with many branches and offshoots. A large house was placed at their disposal rent-free with no stipulation but that it should be called Hull House, in memory of the man who accumulated the money that paid for its being built. They have always worked with a minimum of rules; Miss Addams has presided over the many people who have co-operated with her, by the divine right of willingness and ability to do work that others wish done, but have not equal capacity or opportunity to do. This is not the place, nor am I a competent person to tell of the nursing and visiting, the classes, lectures, baby-washing, the manual training, the bakery, the book-bindery, the restaurant, the lodging-house, the collection of information, and the gathering together of earnest and useful men and women that centre at Hull House. Good as it is, it is all but the outward indication of the working of hearts and brains that, with a characteristically American capacity for practical achievement, have set themselves to do what they found nearest at hand towards helping those who, God knows, are badly enough in need of help, advice and sympathy.

Miss Mary Smith, who had brought her aunt to Moscow, usually lives at home with her parents, but keeps a watchful eye over her aunt's well-being, is in touch with the work,

and, being well off, has provided funds for various experiments such as the Hull House bakery. It is worth mentioning, by the way, that no extension which Hull House has had strength to undertake has ever been stopped by want of funds; nor has Miss Addams considered it wise or expedient to make public appeals. All that has been necessary has been for her to lay the case before some of her friends among the Chicago business men who know Hull House and its work. It is, I suppose, the most democratic and radical of settlements.

But of this work that was being done in Chicago I had but little idea, as I talked to my new acquaintances that hot summer day in Moscow. They had come to Russia chiefly in the hope of seeing Tolstoy, whose books (especially that marvellously characteristic study of social evils, "What then must we do?"), had made a great impression on Miss Addams.

Other arrangements they had made limited their time in Moscow to a very few days. But Tolstoy was at Yásnaya Polyána, in the country, and such is the slowness of the Russian postal service that there was not time to communicate with him and receive a reply by letter. Now it so happened that I (whose acquaintance with Tolstoy had till then been confined to seeing him in Moscow during winter) had lately received my first invitation to spend a couple of days at Yásnaya Polyána, and had only been prevented from going sooner by illness in my family that still kept my wife almost tied to the house.

The natural thing, under the circumstances, would have been to send a telegram to Tolstoy, asking if I might bring my new friends to see him. But I felt a particular objection to telegraphing. I knew there was no telegraph office within some miles of Yásnaya Polyána, and was not sure that telegraphing might not cause some trouble. Moreover, I had lately been reading Tolstoy's scathing reference to the way in which the telegraph, like other "triumphs of civilization," is used for the convenience of the rich while remaining useless or harmful to the very poor. The speculator telegraphs broadcast to buy up corn before the peasants



suspect that prices are improving ; but the poor peasant, who can often not afford to eat what he really needs, even of the corn he has himself grown, would as soon think of flying as of spending money on telegraphing. Altogether, I felt, just then, as if to telegraph to Tolstoy, or to cause him to telegraph to me, about a mere visit, would be a heinous offence. That I should have swallowed the camel of travelling by rail while I boggled at the gnat of sending a telegram, illustrates that loss of equilibrium which often results from the sudden impact of a strenuous moral exhortation on a mind fresh to the subject. I have, quite recently, known such influences, when intensified by the cumulative effect exercised by a group all urging similar views, occasion an acute attack of insanity in a man of considerable mental ability. Ultimately I decided to trust to luck, and take the ladies to Yásnaya Polyána without any previous notification.

On the day fixed for the visit I gave myself a holiday from business—a very rare treat in those days, for my business conscience was as tender as my social conscience had hitherto been undeveloped—and we started in the morning from the Kursk station, in Moscow, and, as the leisurely train took several hours to do its 130 miles, we had a capital opportunity to supplement previous conversations by an animated comparison of Tolstoyan with Hull House economics. One main difference between us—though I did not then sufficiently recognise it—was that Miss Addams had for years been bringing her theories and hopes to the test of practical experience: finding out how much or how little she and those about her could really do towards setting things right around them; while I was theorising and, without the heavy ballast of experience to steady me, urged a more radical programme than she was prepared to accept.

I did not then know how much I was learning, but several things in my new friends' way of thinking and speaking produced a great impression upon me that has grown stronger during the years that have since passed.

First there was an evident good-will, a readiness to sympathise with and to understand another's point of view. There was also an unusual clearness and frankness of statement as to their own positions, work, hopes and interests, as well as concerning their estimate of the work or characters of people we had met. With it all there was a firm standing on their own feet, which gave one a comfortable feeling of equality, such as one never feels with people who have, or will express, no definite opinions of their own, or who cannot bear to listen to what they do not already know and agree with, whether concerning principles or people.

The nearest station to Yásnaya Polyána is Kozlówka Zaséka, but as no conveyance can be got there, and as Miss Addams was not strong enough to do much walking, we went on to the next station, Yasenki, though we might as well, I subsequently learnt, have got out at the preceding station, Toúla.

At Yasenki we hired a conveyance to take us the ten miles to Yásnaya Polyána, but found that the driver had first to report to a gendarme whose duty it was to take the name of anyone going to visit Tolstoy. The gendarme, like some officials elsewhere, seemed to perform his duties perfunctorily, and was evidently a bit bothered by foreign names—so that all the authorities can have learnt from what he ultimately took down on that occasion, was that "Adam" drove over to visit Count Tolstoy, which sounds somewhat of an anachronism.

Such occasional meetings with the police serve to increase one's feeling of the importance of intercourse with Tolstoy, and help one to realise the danger of arrest, banishment, excommunication, or other molestation under which his work has been done for the last five and twenty years, and from which many of his friends have actually suffered. He is the one great Russian of our day who has walked unharmed through the fiery-furnace of autocracy. Peter Kropotkin's escape from a Petersburg prison is not so extraordinary as the fact that Tolstoy has denounced the methods of the Government without ever being arrested. Those who blame



him for the over-strenuousness of some of his denunciations of priests and officials (and I do not say that he has never spoken too strongly) should remember that no one has succeeded in combining absolute outspokenness concerning the abuse of power by those in authority, with absolute good-will towards them; and that outspokenness is the necessary preliminary without which good-will is mere self-deception, or even becomes a sacrifice of public good to personal tranquillity of mind.

We had, after this little incident, a pleasant, if jolty, ride, and had not exhausted the vital issues on which we could not quite agree, when we reached the Tolstoy estate, drove up the somewhat neglected avenue leading to the house, and, on arriving, saw the Countess and some of the family seated at a little distance, having afternoon tea under the shade of a tree; and, to our dismay, found that the Count was not at home, having ridden over to Toúla. Leaving Miss Addams and Miss Smith and the carriage at the front door of the house, I went to explain matters to the Countess. As ill-luck would have it, however, the family had been suffering from visitors, especially foreign visitors, for some time past. They had one on hand just then, whom the Countess did not quite know how to get rid of, and so she—who is always outspoken though usually most cordial and hospitable—promptly and decidedly told me that the Count was away, the house full, and that she could not put up any more people—they should not come without notice! She made an exception on my behalf, saying that she knew that Leo Nikoláyevitch had been expecting me. It was a particularly awkward moment, but on my explaining how entirely it was my own fault and how sorry I was, and that the ladies only wanted to stop till the next train back to Moscow, she softened somewhat, and sent me to ask them to come and have some tea. It was not long before they had quite won her heart, and she and her daughters were talking to them as if they had known them for years.

The Count, it seemed, had gone to Toúla to meet an American visitor who had been staying with the Tolstoys for

some time, and who, as he was merely travelling about for pleasure, and did not much care which way he went, had agreed to take some letters from Tolstoy to Prince Hilkóf, then in banishment in a small town in the Baltic Provinces, where all communications sent to him by post were censored.

A little later Leo Tolstoy himself returned, welcomed us cordially, and good-humouredly related his afternoon's experiences. The young American, who, as someone else mentioned, had made himself quite at home at Yásnaya Polyána (deriding, among other things, vegetarianism, which Tolstoy practises), had written saying he would reach Toúla station by a certain train and asking Tolstoy to meet him there. Tolstoy accordingly went, hoping for a letter from Hilkóf, but only received back his own letters, opened and read by the Russian authorities! The bearer had considered it proper to take them to his Ambassador (or Consul) and enquire whether it would be correct for him to deliver them to the person to whom they were addressed. The authority in question had passed them on with the same enquiry to the Russian officials, who, of course, opened the letters, and having read them, refused permission. The young gentleman to whom Tolstoy had entrusted them had now taken the opportunity, afforded by the fact that he was travelling south, to return the letters to Tolstoy, and had summoned the latter to Toúla to receive them.

It was a good test of Tolstoy's temper that he did not seem at all upset by the incident, though the task of communicating with Hilkóf was rendered more difficult than ever. I forget whether he had been riding a horse or a bicycle that day, but in any case, though he was then nearly sixty-eight, neither his morning's literary work nor his twenty-mile ride had tired him, and he proposed to go for a bathe. So we all set out to walk together down to the little river that lies at some distance from the house. And now Tolstoy wanted to know about his visitors: where they had come from, what work they did, and what their views were. As Miss Addams told him of Hull House and the extreme



poverty of the people who lived in that part of Chicago, he gently took hold of the loose, puffy, silk shoulder of her fashionable dress (both ladies were very well dressed) and smilingly asked, "And what is this for?" Miss Addams smiled, and, if I recollect rightly, said the people they worked among liked to see them well dressed, to which Tolstoy replied to the effect that "You should not like to be dressed differently from them." Miss Addams laughingly replied that they had immigrants of many nationalities—Irish, Italian, Greek, Armenian, and what not—and that she could not dress in all their different costumes! To which Tolstoy made answer: "All the more reason why you should choose some cheap and simple dress that any of them could adopt, and not cut yourself off by your dress from those you wish to serve." Between other people such a conversation might have been unpleasant, but there was not a shade of offence given or felt between these two. I do not think Miss Addams mentioned that it is part of her method to try not to shock the prejudices of those whose relations work at the settlement, and that it is easier for her when well-dressed to go among well-to-do people and interest them in the work, than it would be if, by adopting some special costume, she cut herself off from her own class and announced that she is not as others are. Nor would it have availed much had she mentioned it; for it is at once Tolstoy's strength and his limitation that having got to the root of a great problem and elucidated it by the simplest and most rigid statement, he will not re-confuse the issue by swerving either to the left hand or to the right. For the purposes of the isolated prophet with eye fixed on the future, nothing could be more effective, but it has rather a tendency to cause harshness of judgment concerning the actions of those who are anxious, not primarily for consistency or individual achievement, to render help to those who suffer, whether from excess or lack of life's material gifts.

On hearing that his visitors were on their way to Bayreuth to witness the Wagner performances (for which, by the way, in their hearts they cared very little), Tolstoy made no

remark, but the news will not have helped him to appreciate the real underlying unselfishness of their natures. The famous Wagner chapter of "What is Art?" had not then been written, but a year or two later it fell to my lot to translate it, and the words: "In Bayreuth, where these performances were first given, people who considered themselves finely cultured assembled from the ends of the earth, spent, say, £100 each to see this performance, and for four days running went to see and hear this nonsensical rubbish, sitting it out for six hours each day," have since recalled to me our visit to Yásnaya Polyána, and Tolstoy's reluctance to appreciate settlement-work. When, following the path through the wood and then crossing some open ground, we drew near the river, the ladies went one way, and Tolstoy took me and the other men who were there, to enjoy a bathe from the wooden shed built on the edge of the stream. Tolstoy swam well, as indeed he performed all physical exercises, from riding to playing lawn-tennis on the rough tennis-ground of unrolled grass near the house.

Then, or later, he told me a story of his own efforts to do right in money matters. At the time when he was studying and writing on economics, and was trying to be particularly strict with himself, and to rid himself of all luxurious and extravagant habits, he had occasion to visit a friend of his, a Prince N., who lived at a little distance by rail. On reaching the house he found that the Prince was away from home; but the head police-officer of the district, whom Tolstoy knew slightly, happened to be there, and was exceedingly attentive and polite, offering his services, and insisting on accompanying his "Excellency" back to the station. It was your Excellency this, and your Excellency that, and there was no getting rid of the man. At the station he would not hear of allowing his Excellency to be at the trouble of procuring his own ticket—he needs must get it for him, and enquired, "What class is your Excellency pleased to travel?" with an air that seemed to say: "Surely your Excellency requires at least a special car!" Tolstoy's good intentions were not proof against the strain. He felt



that the shock to the feelings of the police-officer would be too great if he said "Third Class," and he had to compromise matters by saying "Second Class!"

After we got back to the house there was supper out in the open air with a large gathering of people; the Tolstoy family and others. Miss Addams, if I am not mistaken, sat near the Count, but I do not know what they talked about; Miss Smith sat next to the Countess, and so intimate had they become that she had to undergo an examination as to why she was not married. The Countess did not approve of young women remaining so long unmarried now-a-days, and instanced the fact that her own daughters, Tatyána and Mary (who have both, since then, complied with their mother's wishes) were still unmarried. Miss Smith pleaded as an excuse for herself that she had never been asked, but the Countess pooh-poohed the suggestion.

The Countess, who had insisted on our sending away the carriage that brought us, as her own horses would be going to Kozlówka Zaséka at eleven o'clock to meet the night-train and to fetch the letters, now pressed the ladies to remain till next day. Finding they could not do so, she besought them to aid her by luring a visitor she wished to get rid of to accompany them to Moscow by that train. The attempt was not successful, for he only left next day. It was arranged that I should accompany the departing guests to the station and see them safely into the train for Moscow, and should then return to Yásnaya Polyána and remain a couple of days. The Countess had quite forgiven my offence, and next day said how glad she was that I had brought those "charming American ladies," and what a pity it was that they could not stop longer.

Those who sympathise with Tolstoy's views, often fail to do justice to the Countess's many excellent qualities, because if one goes as a student and admirer of the democratic Count, one is apt to start with a certain prejudice against the more aristocratic Countess, who does not share his views, and who, on her side, naturally expects people who come to the house to treat her with the consideration due to

a hostess. The change in Tolstoy's views after he was fifty years old, certainly placed the Countess in a very difficult situation. She felt herself obliged to take over the administration of the property and the publication of her husband's works, and, in addition to the cares of a large family, was exposed to a constant stream of visitors—many of whom were not at all to her taste, and some of whom had no real sympathy with her husband, or any other fair excuse for their intrusion. Her energy, ability, and frank outspokenness have made the situation less difficult for her than it would have been for most women, but one can understand that if she often alludes to her husband's views with sharpness, this comes from a consciousness of the trouble his opinions have caused her, and is not an impartial appreciation of them.

Tolstoy's own life has been lived so much in the open, and the interest in all that concerns him has been so great and so general, that the fact that his wife does not share his views has long been publicly known.

The spirited and highly characteristic reply she sent to the Procurator of the Holy Synod and to the Metropolitan Bishops, and allowed to be published on the occasion of her husband's excommunication last year, shows both her difference from, and her affection for, him :—

" . . . . This excommunication, delivered by the Church to which I belong, and to which I will always belong, . . . . will call forth, not the approval but the indignation of men, and will bring Leo Nikoláyevitch fresh demonstrations of love and sympathy. They are already coming to us from all parts of the world. . . . ."

On my speaking to her, one day, of her husband's gentleness and the consideration for other people's feelings which he manages to blend with his outspokenness, she replied: "Yes, that is as you see him now, but it was not so ten or twenty years ago." And, indeed, I think a careful study of Tolstoy's writings since "My Confession" (1879) shows an increasing mellowness, as well as a tendency to lay less stress on external rules and tests, and more on the



deeper workings of the spirit. Consider, for instance, these words written in 1899 :—

"Since the time when, twenty years ago, I first clearly saw how mankind might and should live happily, and how senselessly—tormenting itself—it ruins itself generation after generation, I have, in my mind, placed the root cause of this madness and ruin ever further and further back. At first it seemed to me as if the cause lay in the false economic organisation ; then I saw it in the use of violence by Governments to uphold that organisation ; but now I have arrived at the conviction that the root cause of all is that false religious instruction which is transmitted by education."

Or, again, compare the crude communism of "Work while ye have the Light" (1888)—in which people step out of an evil life into a good one by the simple process of joining an agricultural Christian Colony—with the careful gradation of progress analysed in "The Christian Teaching," published ten years later. Not to press the comparison for more than it is worth, it should, however, be remembered that "Work while ye have the Light" is but an unfinished sketch which Tolstoy was inclined to withhold from publication as being artistically poor and otherwise of no great value. It has owed its popularity to its defect: that of substituting for the *complexity* of human life a *simple contrast* between a sharply defined right and wrong. It is a *tendenzen-schrift* of a kind not elsewhere to be found among Tolstoy's writings, and belongs to much the same category as Charles Kingsley's "Westward Ho!" in which the good, Protestant, English are God's people, while the bad, Catholic, Spaniards are children of the devil, with a sharpness of contrast unknown in real life.

At the time of which I write my perception of Tolstoy's teaching leant towards that earlier and cruder phase, and the most important feature of this journey to Yásnaya Polyána, for me, was the discussion with Miss Addams, which helped me (not so much then, as some three or four years later, when the seeds had grown up) to re-adjust my outlook.

Will the reader bear with me while I try to summarise the matters we discussed?

My view of Tolstoy's economic teaching was that the use of money obscures our vision. Men produce and consume

food, clothing, shelter, &c., and if one takes more than he or she makes, the result is always that someone else has to do that much extra work. By means of money the many are enslaved to the few.

To Miss Addams' plea that some people have talents for organising, for inventing, for teaching, or for healing, which are more valuable than their power of manual labour, the reply was that the hard and rough manual labour had to be done by someone, and that, as a matter of fact, it is evaded *not* just by those who are the most fitted to be useful in other directions, but oftenest by those who have no excuse, but their wealth, for being drones. Take even a very favourable example, such as is presented by a Social Settlement. You may there find a number of clean, cultured, nicely clad ladies and gentlemen, devoting themselves to the service of the poor, but it is the common labouring man who has all the time to do extra work to provide what they, as well as his own folk, consume. A man with money gives his son a University education, and pleads that this entitles the son to choose how he will benefit humanity; and the son who has such a choice offered him is pretty sure to choose some comparatively easy or pleasant way, or, more often, lives simply for his own pleasure. But the poor man's son has to do the manual labour, not because he is always specially qualified to do it, and specially disqualified for brain work, but because wage slavery holds him down to the rough work. Property holding is, I maintained, a direct sign of our selfishness. In proportion as people really become Christian they will get rid of their property and learn to earn an honest livelihood by useful manual labour.

We also discussed non-resistance, and the family and social friction produced by reformers and reform movements in general, and by Tolstoy in particular.

I do not think that what I then said on the economic aspect was wrong as a detached intellectual perception. But just as a problem in mechanics may be unduly simplified by omitting the important item of friction, so, in drawing practical conclusions from the theory, I was omitting to



allow for the complexity of our nature. The problems a man has to meet in life—as he finds when he comes to face them practically—are not *solely* economic, nor do the conclusions one draws from a merely, or mainly, economic investigation of the ills of humanity, work out right when submitted to the test of experience.

Miss Addams had, as I now know, a much better perception of the next steps in progress that lie before us. As she says in her recently published book, "Democracy and Social Ethics":—

"By our daily experience we have discovered that we cannot mechanically hold up a moral standard, then jump at it in rare moments of exhilaration when we have the strength for it, but that even as the ideal itself must be a rational development of life, so the strength to attain it must be secured by interest in life itself."

I, who was managing the commercial business of the Russian Carpet Company, had allowed newly aroused social hopes and aspirations to carry me so far ahead in the frictionless realms of theory, guided, not by experience, but by reading and thinking, that I was unable duly to appreciate valuable efforts when I encountered them, though my mistake was kept within limits by the strong sympathy I felt for people who were frankly outspoken and wished the world to improve.

A week or two later I received this letter from Miss Addams:—

"The glimpse of Tolstoy has made a profound impression upon me—not so much by what he said as the life, the gentleness, the Christianity in the soul of him. . . ."

"A radical stand such as Tolstoy has been able to make throws all such effort as that of settlements into the ugly light of compromise and inefficiency—at least so it seemed to me—and perhaps accounts for a certain defensive attitude I found in myself.

"Our effort at Hull House has always been to seize upon the highest moral efforts we could find in the labour movement or elsewhere, and help them forward. To conserve the best which the community has achieved and push it forward along its own line when possible.

"We have always held strongly to the doctrine of non-resistance, selecting the good in the neighbourhood and refraining from railing at the bad. Gradually I have come to believe even farther than that in non-resistance—that the expectation of opposition and martyrdom, the

holding oneself in readiness for it, was in itself a sort of resistance and worked evil or at best was merely negative.

"No doubt a Christian who preached against the holding of private property would arouse much opposition on the part of the property holders; he might give up his own in a way which would work as a constant source of irritation to them. But I can imagine the thing being done in a way which would make it merely incidental to the great wave of fellowship and joy which would swallow it—the coming of the spirit was so great an event to the followers in Jerusalem that the division of goods received but little comment.

"So I would imagine the new Social Order (if it could come ideally) would gather to itself all that was best and noblest in the Old, all the human endeavour which has been put into it in the right direction, and which has become sacred because it is so human and pathetic; that its joy and righteousness would sweep men into it.

"The *ideal* is always admired, it is only when it begins to work itself out and to compromise with the world and circumstances that it becomes hated and misunderstood.

"This is doubtless inevitable, but it is a great pity to consider the hate essential, to confuse the result which the imperfect presentation of the ideal makes upon men, with the effect which the ideal might have.

"This belief has come to be part of my method of living, and I should have to start quite over again and admit the value of resistance if I gave it up.

"I should be very grateful if you could find time to write to me occasionally as your plans work out. I am sure you will understand my saying that I got more of Tolstoy's philosophy from our conversations than I had gotten from Tolstoy's books. I believe so much of it that I am sorry to seem to differ so much."

I only knew later on how much Tolstoy's views had influenced Miss Addams. She returned to Chicago determined to do some hours of manual work each day in the bakery, but when she encountered the many urgent claims on her time and attention at Hull House she felt that there would be something artificial in neglecting work for which nature had differentiated her, in order to do what many others could do better than herself. With those who really trust their own reason and conscience, no general argument, however logical, can avail against the motions of the spirit telling them in which direction their work lies.

Miss Addams never parades her own efforts, that is one secret of her influence, and leaves her free to modify her course when necessary; but I hope I commit no great indiscretion



in mentioning that after her return to Chicago she devoted her own income to Emil Hirsch's work, and lived on what she earned by writing and lecturing. That, just as she was with other things, this should have been possible, is in itself an indication of the system in which she and her work are held by all who know them.

As to the "plans" I was to tell about when they had "warned me"—that was just what they refused to do. I had not begun at the beginning, and after three years of hard experience in connection with "Forthright Colony" I had to turn back and begin again more modestly.

If the reader would know more of the questions discussed that day in the way to Wisconsin Prison, let him get Tristram's "What then must we do?" and supplement that profound and sweeping view of the economic situation by a careful perusal of Miss June Adams' "Democracy and Social Ethics," which, if less powerful than Tolstoy's titanic work, has the merit—rare in the books of reformers—of expressing views tested for years on the touchstone of practical experience.

If, on the surface, the two books do not seem to agree, still do not doubt for a moment that there is in them, as in their authors, a profound and fundamental agreement—namely, as to the necessity of finding ways of transferring the brotherhood of man from the region of words to that of tangible facts. The path may be long and difficult, but those who are sincere gain even by failures. What, in the book just mentioned, Miss Adams says of the young settlement woman, will, changing the gender when necessary, apply more or less to all who, having made an honest effort to discern what is desirable in social relations, and to move towards it, have been willing to learn the mingled lessons of success and failure:

"She reaches the old-time virtue of humility by a social process, not in the old way, as the man who sits by the side of the road and puts dust upon his head, calling himself a contrite sinner, but she gets the dust upon her head because she has stumbled and fallen in the road through her efforts to push forward the mass, to march with her fellows."

AYLMER MAUDE.

## A VISIT TO THE ANTWERP ZOO.

THERE has been some controversy lately as to the housing of the animals in the London Zoological Gardens, especially as to their treatment from the humanitarian point of view, and in the reply which has been offered to the critical objections the old stale argument, as to the acknowledged superiority of the British zoologist in respect of the treatment of the animals under his care, and his perfect knowledge of how to make them happy and comfortable in their cages and surroundings, has been trotted out.

It would be beneficial to some of the persons who raise this feeble argument and who see nothing to object to in the Gardens in Regent's Park to spend a few hours or even minutes in the far smaller but far finer Zoological Gardens of Antwerp, and glean some of the lessons which the administration of that Garden can so readily teach.

Certain elementary facts which the London Society seems to overlook are there recognised to the full. It is accepted as a fact that birds are intended to fly, and as far as possible such conditions even in captivity are afforded them as will enable them to use their wings. One great cage measures, so far as I could step it out, some 300 feet and is proportionately high, so that its winged inmates, which are ibis, storks, cranes, herons, &c., are really able to stretch their wings in respectable flight.

Another bird who suffers sadly in Regent's Park is the peacock, most superb of all birds with his jewelled plumage of purple and gold. Who ever sees the peacock at the London Zoo stretch or raise its tail and show out its splendour in the radiant sun? Its feathers are dragged, it can but walk to and fro in its narrow cage, and every time it turns, the end of its tail brushes against the iron work, and its glory of colour and form gradually disappears. Far otherwise are the peacocks at Antwerp.

There are over a score of them with their hens, and in their cage is a high tree in the branches of which they can roost, while the lower limbs are crowded with the birds, who are partially hidden by smaller branches and the leaves which still remain on the tree.

As I gazed upon them, admiring their superb beauty, no fewer than three raised aloft their matchless tails and passed to and fro in perfect understanding of their gleaming colour, while others proudly lifted their long feathers from the ground with ample room in the cage to swing round in all directions, and as the sun's rays struck upon the glowing masses of green, purple, and gold, foiled by the dainty brown of the hens and set off by the pure white of two glistening albinos, the scene was as perfectly beautiful as any lover of peacocks could desire.

Close by this cage, is a large enclosure which is devoted to the mountain sheep, the yaks, and other climbing beasts from the mountains of Asia, and here again the elementary fact that creatures accustomed to climbing require to exercise their capability in captivity is recognised. The enclosure is a miniature park, and within it are tall, artificial ruins, a great archway, some columns, and a host of huge boulders, some of them arranged so as to make dark shady caverns and dusky passages. Here the various creatures climb to their hearts' delight, rubbing their limbs upon the stones or on the grassy patches which have been left. They mount guard, they give warning, they rush and jump from peak to peak, and seem for the nonce to be likely to forget for some brief instant that they have been

taken away from their own beloved mountains and are in captivity for the pleasure of man.

Most lovely are they when picturesquely silhouetted against the sky on the summit of some big rock, and far happier must they be when able to climb from stone to stone or to hide themselves away from all gaze beneath the boulders or in the dark hollows of the artificial hills which have been erected for their use, than confined in narrow cages as in the Regent's Park Gardens. If there is a need to bring these creatures so far away from their own surroundings and to cage them in captivity, a need we do not necessarily grant; and if the intention is the teaching of others about the habits and characteristics of these animals, then surely the greater occasion there is for giving them homes which will recall as much as possible those they have for ever left, and which will enable them to display the habits of nature as near as the altered circumstances will allow.

There is no roof whatever over the great lakes which are to be found at Antwerp. They are covered with birds of all descriptions, and by some careful cutting of the feathers of one wing the opportunity of escape is not given to the inmates of these waters. With that exception they seem capable of flying as they would desire, and a quick movement at the side of one of the lakes causes a whirl of wings and the sudden rising of a whole colony of winged creatures into the air. I estimated the larger lake at 360 feet long, and on it were the swans, black and white, pelicans, ducks of all sorts and many other representatives of the aquatic creation.

Close to this pond was the house for the Arctic bears, and here again was a startling contrast to the scene at home. The house contained three female bears and one male, all of them in superb condition, full of health, and able in the pond of water at their disposal to enjoy an extensive swim, all four together, without unduly interfering with each other. There is plenty of room devoted to their sleeping accommodation and ample space for the gratification of their restless habit of strolling backwards and forwards; and it is not, as in



London, just a narrow ledge upon which they must recline and from which there was every chance of their rolling into the water at the least movement, but a space sufficient for their comfort as they lay fully stretched out. I can speak of it from experience, as the male was so amiable as to let me enter his domain, inspect him and examine his teeth, and a finer beast I have never seen in any of the Zoological Gardens of Europe than this splendid great white bear at Antwerp.

The parrot house is a vast improvement on the one in London, which resembles nothing so much as the shop of a bird dealer in Soho, who is cramped for room, and has but slight concern for the comfort of his winged stock. The house at Antwerp affords very much larger space for its occupants. The cages are in two tiers, the larger ones, which are, say, five or six feet long, occupying the lower tier, the smaller ones being above. All the cages are alike, differing only in point of size, and at intervals in the series there are large aviaries in which there is space for 40 smaller birds to fly about. The aspect of the room is agreeable. It is very high, well lighted and well aired, and there is an entire absence of the smelly, stuffy feeling which is so very unpleasant in London. It is wisely called *Le Palais des Oiseaux*. Near to it, and also scattered about in other portions of the grounds, there are detached cages, large aviaries, in which a man could stand and walk about, and these contain whole families of parrots and cockatoos clustering up close to one another or flying at sweet will around. They partake very little of the character of a cage, and possess an arrangement by which a portion of the opening shutter can be closed so as to afford to the bird a comparatively dark place in which to rest upon the many occasions when these birds like to get away from public view and enjoy the cool of a darkly shaded resort. At night the entrance can be entirely closed so as to keep the cage quite dark and its inmates free from disturbance and cold.

The idea of placing within the cages whole trees or large portions of them is a very popular one at Antwerp, and one of the pleasant ways in which it is seen is in the squirrels'

habitations. Each of these delightful climbers has a snug little house built of clay in which he can hide, and it is situate at the foot of the large limb of a tree up which he can run to his heart's content and in the hollows of which he can hide his store of food and prepare for the winter in the way in which instinct has taught him, even though such a precaution is no longer needed.

He generally pretty soon strips the tree-trunk bare of leaves, but these trunks are, I am informed, often changed, and then master squirrel transfers to the new one his little hidden store and gambols up and down his new playing ground with fresh delight because of its novelty. One of them was quite ready on the afternoon of my visit to have a merry game with me, bobbing around his tree-trunk, hiding and then appearing in the sweetest manner, and then suddenly retreating down to his clay hut and whisking in, only to re-appear, showing his bright black eyes round the entrance, quite ready to run up the tree again for the sake of another of the large nuts which he loved.

The squirrels are in the great monkey house, and here again I was struck by the wisdom which shielded the more delicate and mischievous monkeys from the foolish populace by large panels of plate glass too high for them to reach over, and which guarded the monkeys from being fed with what is often most unsuitable food or roused up by the point of an umbrella or walking stick.

The larger monkeys and apes are not so protected and are more at the mercy of the visitor, but they are better able to protect themselves or resent interference. The cages are very high, made of a hard dark wood, well provided with tree-trunks and ropes, and on the whole are as well arranged as any I have ever seen.

The precaution of plate glass is adopted with the giraffes, but in their case the panel completely shuts them off from the public and extends up to the roof of the beautiful Egyptian Palace in which they are lodged. It was with scathing rebuke that the attendant conversed with me about the death of certain giraffes in London.



His complaint was something to this effect: "You know the value and the scarcity of the creature; you recognize that he has to be kept free from draught and from cold, and that he requires a warm, even temperature, and you are aware of the delicate nature of his stomach. You forbid the public to feed him, and yet you expose him in an open shed where anyone can throw food to him, and where very many persons regularly do so. You give him all the chances of cold from open air, badly built erections, and loosely fitting doors, and then you wonder that he dies, and think it is very hard that you should lose so valuable a beast.

"We, on the contrary, cannot afford to lose our giraffes, and we are too fond of them to afford them all the risks and dangers which you give them. If it is cold we shut them up, and the public can only see them through glass. There is plenty of room for them to move about, but no food given by the public can reach them, as the plate glass panel shuts off that chance, and it is only on really warm days that we allow them out of doors into the enclosure where they can browse at their will, and then we keep a man near at hand all day to see that they are neither teased, attacked, nor fed by the public who come to gaze at them. We *keep* our giraffes," said the man. "We have three. You let them die, and lament your bad luck. Is it really bad luck, or want of care?"

One thing I did regret to notice at Antwerp, and it was to me the blot upon this otherwise well-managed Garden. The authorities had been forgetful of the curious fact that almost all the Mammalia have an instinctive dread of the Ophidia.

They have placed the snakes in the lion house with the crocodiles, and when the great python uncoils himself, or swings down from a branch of a tree, he does it in sight of his deadliest foes, the tigers and lions, leopards and panthers. I watched the movements of a huge snake on the day of my visit, and suddenly catching sight in a piece of glass of the lion, who was opposite, saw that he also was watching the

same sight as had engrossed my attention, and that he was agitated thereby. For the moment I feared that poor Leo forgot his confinement, for he first crouched down and trembled and then, rising, watched the movements of the snake with that sort of fascination which the Ophidia are able to produce and which it was evidenced neither the cages, the panel of glass which shielded the snake, nor the distance across the great lion house was able wholly to prevent. In all other respects the accommodation given to the Carnivora at Antwerp is excellent. The cages are roomy, they are lined with a rich dark heavy wood which looks better than the bare walls at Regent's Park, there is far more room for them to move about, and there is accommodation on the tops of their inner cells for them to recline at full length if the fancy takes them, and there is besides a large open-air cage for use in warmer weather. My favourite tree trunks are here also, and the jaguar was enjoying her trunk to the full, stretched out to her entire length close to the wood and almost escaping notice, comfortably sleeping on the tree, although I fancy it was with one eye open, as the hour for dinner was at hand.

There is little need for me to take my reader to each shed and cage in these Gardens. It will suffice to say that in every one which I visited, and I think that I saw almost every creature in the Gardens and certainly went to every cage and house, the same desire is quite evidently shown to be just to the inmate, to make the creature as happy as possible, to give it all the accommodation which the limited space of the Garden affords, to arrange its home so as to recall the natural surroundings in which it formerly lived, and to treat it in captivity with the consideration and with the humanity to which it is entitled.

It is very doubtful how far it is right to confine at all such creatures as the kangaroo, the vulture, the eagle, or the falcons, even if the position be conceded that any creature can rightfully be put into captivity, and for those who require so vast a space of earth or sky over which to range the case seems harder than for others.



To confine the kangaroo, as he is confined in London, in so small a space that the superb leaping apparatus with which nature has gifted him is absolutely useless, and within a cage so low that he can scarce stand upright, is surely the refinement of cruelty. At least he should have a space such as is given him at Antwerp, albeit that is all too small, but it does allow of his jumping without fear of injuring his head; and if the eagles and vultures are to be caged, at least give them, as they have at Antwerp, rocks on which to perch, huge stones behind which they can hide, and eminences on which they can sit blinking at the sun and surveying the Gardens.

It seems impossible to afford them space enough in which fully to stretch their wings, and I was told by the attendants that to do so would only be to cause the birds to injure themselves and to excite them to an unreasonable degree. Into the merits of that decision I am not called upon to enter, but I can at least see that the effort has been made at Antwerp even with regard to the vultures, and although I cannot so fully commend the result, yet I rejoice to see the attempt made to deal with what is certainly one of the problems which Zoological Gardens have to face. Such a disgrace as the little cats' house in Regent's Park simply could not exist at Antwerp. The whole spirit of the Garden is against it. The accommodation throughout is far more up-to-date, the Gardens are but small, there is little attempt to crowd them and there is every desire to render them beautiful and instructive, and above all, the animals and birds are all in splendid condition and sound health, and appear generally in a state of contentment with their surroundings, so far as such a condition is possible in captivity. For all these reasons, a visit to Antwerp is strongly to be recommended and the visitor will not come away with the feelings of pain and disgust which must often be the portion of the visitor to our own Zoological Gardens in Regent's Park.

GEORGE C. WILLIAMSON.

## A PLEA FOR MANUAL LABOUR.\*

I AM to speak this morning of manual labour as an advantage and, perhaps, a duty. But first I would take rather broader ground. I desire to approach my subject with a proposition in which you will all agree. I commence, therefore, with a platitude. My first principle shall be this: that a healthy life must include physical exercise. I start, you see, from this broad premiss. I am not speaking now specifically of labour, still less am I speaking of productive labour. When we come to that point we shall perhaps begin to differ. At any rate it will require careful and particular consideration. I speak now only of *exercise*. You may include sports and games of various kinds, followed for the sake of bodily development, followed for the sake of the mere pleasure of activity, followed from the interest one always finds in rivalry, man against man or side against side, followed from all sorts of motives. The question of motive does not yet come in: that we shall have to consider presently. At this stage I consider mainly one motive—the desire for health.

As a matter of health, then, I say that physical exercise must be attended to. We have no business to neglect our bodies. In fact, I am sometimes half inclined to say, “Take care of the body and the soul will take care of itself.”

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\* An Address delivered at the Croydon Ethical and Religious Fellowship.

Not that this is really right. It is an over-statement. Still, it is quite as true, and perhaps truer, than the converse, "Take care of the soul and the body will take care of itself." The body, according to the Apostle, is "the temple of the Holy Ghost"; it is properly, and in its normal condition, the dwelling-place of sweet thoughts and kind feelings and cheerful tempers; but it is never and never can be this if it is unhealthy or defiled.

This principle, the necessity of physical exercise, has, of course, primarily a physiological basis. I mean that you may look at the thing objectively, as something apart from yourself. You may look at the body as a certain rather intricate arrangement which has to be kept in order if it is to be of any use; and you may say that if this animal arrangement is to be kept efficient, the ascertained laws of health must be attended to—the liver must not become sluggish, the skin must not be inactive—and so you may pretty conclusively argue on that ground that there is no health without exercise.

I always suspect, however, that parallel with every great physiological truth there is a spiritual truth. Physics and ethics run *pari passu*. You will think me a mystic, perhaps, if I tell you how deeply I am convinced that the soul as well as the body is medicined by labour. You will think me fanciful if I base my doctrine of labour on the close kinship, the intimate union, the almost identity of soul and body in man. That they are two sides of one nature, two aspects of one fact, and that you cannot do anything to the one without affecting the other—this truth, upon which in the limit my whole subject hangs, is one into which we cannot now fully enter; but it is one which neither the physician nor the metaphysician, neither the preacher nor the poet, can altogether disregard.

Æschylus has said, "Sweat goes before virtue"; or, in other words, there is no virtue without sweat. He may have meant, of course, that virtue is a difficult business, that labour is a matter which concerns morals as well as crops, and that without a long pull and a strong pull there is

really no getting through the strait gate at all. He may have meant that, and no doubt he did mean that in part; but I think he meant more. It is a large saying, that—"Sweat goes before virtue." And I cannot but think the saying includes a connection between the physical and the ethical—a real link between virtue and the literal, gross, palpable sweat of the brow. There is such a connection I am persuaded. I do not believe that anybody is really healthy either in body or soul who never labours *ad sudorem*.

Tolstoy has noted the fact that the Turkish bath was invented by one of the laziest nations upon earth. With them it was a substitute for labour. That which they would not obtain by natural means they had to obtain by artificial means. And Tolstoy proposes to establish a new kind of cure, which he calls "Arbeitskur." We have our medicinal baths and our hydropathic establishments—why not have establishments for cure by labour? The Labour-cure is a cure which the upper and middle classes have hitherto disregarded. Some of them, indeed, in the form of field sports, have found the benefit of physical exercise for the promotion of health. In fact Matthew Arnold dubbed the upper classes "Barbarians" because of their exclusive devotion to these sports. But there is a great army of the upper class, and, as the middle classes grow rich and self-indulgent, there is an increasing army of them too, who are sickly from various causes connected with their unnatural way of life. They are sickly from ennui, sickly from self-introspection, suffering from nervous complaints, from dyspepsia, from hypochondria. In the middle class there is a vast contingent who have physically degenerated from living a sedentary life; from that bane of commercialism—"clerking"—desk work. There is the typical business man, whose life consists in getting up, having a hurried breakfast, running for the train, sitting in the train for thirty to sixty minutes with his head in the morning paper, worrying over documents and ledgers for seven or eight hours, sitting in the train for another thirty to sixty minutes with his head in the evening paper, a heavy dinner, an hour in the easy chair, a



glass of grog, bed. Rudyard Kipling in "The Light that Failed" has vividly and truly described the condition to which such a man is reduced, fat and pulpy as to his flesh, heart and liver degenerated, poor-spirited and unmanly in any physical crisis. Well, there is all this host of poor creatures of the well-to-do classes, who would do well, instead of paying fees to physicians, to follow Tolstoy's prescription of the Labour-cure. And besides these, who really are, in a manner, ill, there is a whole crowd of fancied invalids, who might safely be told to "take up their beds and *walk*," or still better, *work*. To the question "Is life worth living?" *Punch* answered "That depends upon the liver." But we may go a step further back in the chain of causation and say "That depends upon the hands." Does the man work? or at any rate exert his limbs in some form of exercise (work or play)? If not, then life seldom is worth living. It will be spoiled by hypochondria, by insomnia, and by a bilious view of Providence.

I suppose I need not dwell more at length upon this. It is somewhat of a platitude (is it not?) this dependence of health upon physical exercise—at least so far as bodily health is concerned; and those who know how intimately body and mind are connected, how closely matter and morals are linked together, will agree that there is a strong presumption that what is good for the health of the body is good for the health of the mind—good, that is, for the health both of the intellectual and the moral part.

But now I want to put this further question: Granted that physical exercise must enter in some degree into every life if it is to be healthy, the question arises, "To what degree?" What sort of physical exercise and how much of it? The question, as I understand it, is, What place in the *ideal* life would physical exercise take, and in what form would it be pursued? I am not asking now what we, under present conditions, ought to do (I prefer to treat that question separately), but how, supposing we all lived as we ought, should we in this respect be living? How should we

exercise our physical part, and how much? and should we all exercise it alike?

Well, I feel pretty clear, in the first place, that in an ideal state, physical exertion would be more equally distributed—not equally, but *more* equally. There would, of course, be some inequality in the distribution, to match the inequality in physical constitution. We need not suppose a condition of things in which everybody would be equally muscular, or equally developed in every part. Such a dead-level is not what we mean by the ideal state. It is never likely to come about, and we do not desire that it should. We mean, rather, a state in which such social arrangements and such personal habits would exist, that men, with all their natural differences of build or of temperament, would no longer be hindered or handicapped in making the best of themselves and of each other.

In such a state, I say, physical exertion would not be equally distributed, but it would be distributed *more* equally. There would still be the man of sturdy solid build and the man of light supple frame, and whether in work or in sport they would excel in different directions. But at the same time there would, with healthier conditions of life, be less difference than at present, both in quality of physique and in distribution of labour. One man might be slight and another broad, but both would be healthy, and both capable of some kind or some degree of bodily work. The tendency at any rate would be towards greater equality in this respect. Everyone would do some work for mere health's sake, if for no other; and he would not, in such an ideal state, be deprived, as so many now are, of the opportunity. There would not in such a Utopia be a vast army of clerks doomed to live at the desk till they were sallow and withered, or as a poet has expressed it to—

"Sit and balance at a desk  
Till all their bones were chalk."

That great curse of the city middle-class, the confinement, the almost unbroken routine, the sluggish blood, the torpid frame, the eight, ten, twelve hours of desk-work, the oblivion



of blue skies and green fields, the everlasting breathing of dust instead of the pure air of heaven—all this will be no more when the new heaven and the new earth begin; and then the opportunity will beget the desire, and the desire the habit, of some daily manual labour to clear the brain and quicken the pulse, and open, not only the pores of the body, but the gateways of the soul.

Again, I am inclined to think that physical exercise would in such a state more often take the form of *productive* labour and not so often the form of unproductive sport. Most of you have read or heard of Ruskin's road-making scheme at Oxford, and how he led out the young undergraduates with pick and shovel instead of bats and sculls, teaching them that it was better to get healthy exercise by some productive work than by unproductive or wasteful sport. You know the end of the experiment and how short-lived it was. I am not concerned to defend it. I am not going to say that all our sport is to give place to the work of navvies or of farm labourers. But the experiment was valuable, if not as an experiment, at any rate as a piece of concrete doctrine: it was a faith put into concrete form, which has drawn attention to a forgotten truth, and has captivated the imagination and stirred the thought of many a man who might otherwise have been indifferent to it. That some, at least, of the vast energy daily put forth upon unproductive trifles might be turned into the channel of useful work—this is a thought worth turning over in one's mind, and worth more attention than it receives from the sportsman and the athlete.

In an ideal state I think that relief from mental strain would more often be found in *productive* work than is now the case, not because it is our duty to be always thinking about material production (which it is not), but because it is natural and pleasant to produce. There is a peculiar interest in seeing the work grow beneath one's hands. The artisan, the craftsman, is in this respect in touch with one of the first principles of human nature. Man is causative—that is the principle. He is not a mere tool in the grasp

of another. He is himself a fountain of creative energy. The feeling of "something accomplished, something done," the glow of satisfaction when that is the case, is the crown and the sanction of that creative exercise. And in garden-labour, field-labour, the labour which brings you close to a still greater Creative Energy, the labour in which you co-operate with Nature herself, you get near to another principle of humanity and a source of interest and zest for human life which can never cease while the ages run.

I am far from saying, you will observe, that in the ideal state there would be no room for sports pure and simple, pursued without thought of productive result. As an outlet for superfluous physical energy when the man's full quota of productive work had been accomplished, as a break in the routine-production upon which the man might be usually employed, and especially as exercise for some particular and perhaps exceptional form of physical skill, I suppose such sports would still be used in the Utopia of which we dream. There would be frequent holidays, I fancy, when free play would be given to the special skill which pertains to cricket or golf or rowing, or what not—the quickness of eye or dexterity of hand or steadiness of nerve which in such sports is not merely occasionally (as in productive labour), but every moment called for. But I will tell you the sort of thing that in the ideal state you would never find. You may have seen placarded in the railway stations an advertisement of a form of exercise which for dreariness and futility, not to say imbecility, can surely be equalled only by the treadmill. It consists of a saddle upon springs upon which the person who is suffering from over-feeding or from a torpid liver is expected to seat himself and bump up and down as if he were riding on horseback. Now, I for my part, if I were doomed to be a member of the aristocracy and could not get my accustomed saddle-exercise on a live animal, would turn a grindstone, clean the knives, polish the boots, knead the dough, do anything productive rather than take my exercise in such an idiotic way. And, if the doctor told me that this would not serve the purpose, I would have a special treadmill



fitted up that turned some useful machine, or at any rate I would make my sham horse work something; anything rather than suffer the degradation of a form of exercise which neither produced anything nor brought into play any skilfulness of hand or alertness of mind. I think that in our Utopia the aristocracy will often clean the boots for their health's sake; often, when they are out of sorts, will lend a hand to the groom or the gardener, or the under butler; or go like Tolstoy into the hayfields, scythe in hand, and work among the peasants. It has amused me, since I have seen more than I formerly did of the labouring poor, to find how they always seem to think that the well-to-do are necessarily and properly, and perhaps providentially, a class of helpless idiots. It has amused me, but it has not surprised me; for, the well-to-do seem to think so themselves.

But now I come to what is really a more important, or at any rate, a more immediately practical question—the question, namely, what we ought to do, not in any possible far off Utopia, but at the present time and under existing conditions.

Well, it seems self-evident that what we ought to do is to go as far in the direction of the ideal as it is possible for us to go. We cannot, indeed, hope for the millennium at present; we cannot have that more equal distribution of manual labour for which we look. The poor will still, I suppose, have to bear the brunt of it; will still have to live with uncultivated minds because they have to give the whole day to the labour of the body. The well-to-do will still, I suppose, have worried and discontented minds for lack of any necessity for healthy physical labour. That ideal state, in which the employment of mind and body is duly divided and rightly balanced for each and all, is not yet in sight. But we can all make towards it. We can all follow the simple rule of doing *some* manual labour every day. That appears to me to be the common sense of the whole subject. Do some manual labour every day. Your bread-earning employment, the necessary conditions under which you are

doomed to live, may not admit of your doing much ; but do some. This is the simple duty and the simple gospel of the case.

I have spoken already, and perhaps sufficiently, upon the hygienic aspect of the duty. In an ideal state everyone would naturally desire to do some manual labour, if only for health's sake. But, when we come to consider the actual conditions under which we live, there are, over and above this, certain moral considerations which raise the advantage or pleasure of manual labour into the region of social duty.

There is, as it seems to me, one very clear reason, directly arising from the simple brotherly relation of human beings, why we should all do some manual, nay, even menial task every day. Tolstoy, in his book called "What to do," has emphasised this reason ; and, however hard we may find the saying, we cannot but feel that he has the truth and the right upon his side. I refer to the social stigma which at present attaches to manual work. There is nothing whatever in the nature of things why this should be so. In New England, not so very many years ago (I do not know how it is now) well-to-do householders would quite commonly work upon the parish roads instead of paying rates. They would do a little pleasant stonebreaking, or have a holiday at hedging and ditching, or take a hand at cleansing the thoroughfares, and that would be placed to their credit by the parish in lieu of local rates. This was a thoroughly sensible arrangement, and I am assured by a New Englander now resident in Old England that there was not in his time the slightest social degradation consequent upon such action. Now I ask you whether this is conceivable in Croydon ? I wonder whether there are more than half-a-dozen even of the Croydon Fellowship who would have the courage to mend the roads, or drive a water-cart—to be seen doing it—whether we should have the courage to face the overwhelming astonishment and the emphatic censure of our respectable acquaintances if we did any such reasonable action. Why is this ? and what is our duty in face of it ?



Why it is, heaven knows. I think it must be the work of the Devil. I know no other explanation. But as to our duty—well, we cannot perhaps go and mend the Croydon roads or drive the parish dustcart. Such work, for a person of the middle class, would in Old England be equivalent to martyrdom, and we can scarcely put forward martyrdom as a duty. But we can do something else. The citadel which we cannot capture by assault we can perhaps take by gradual approaches. We may, by degrees and on occasions, do something to lighten the social stigma which attaches to such work. We might (might we not?) do some little piece of menial work now and then, clean a pair of boots or carry a scuttle of coals, anything at all which would be or appear to others as slightly *infra dig*. By this means we might help to fill up that great social gulf which yawns between the servers and the served. I do not believe such occasional tasks, if persisted in, would be useless. It might be only a spadeful in the gulf; but example tells, and that spadeful would soon lead others to take the spade as well.

Such a course, especially if adopted by a man of culture or of social standing, would do much to soothe the wound which social arrogance every day inflicts. The sting of class-pride enters into many a soul when we little suspect it. The domestic servant, the dressmaker, the labourer, are made continually to feel it; but especially those whose living lies entirely in manual work are taught by the attitude of the well-to-do, by their careful avoidance of any slightest semblance of such work themselves, such as the carrying of a parcel or the dusting of a room, how great the gulf between the classes is. Take the sting, then, from this social injustice by working with and for those who are in this case. The higher the class to which you belong, the greater your culture, the more refined your manners—the more effectual will such a course of conduct be. If you are of that lofty eminence which is disgraced by carrying a parcel through the streets, make a point of disgracing yourself in this way. If you are of that lesser eminence to which this

means little, then do something else to disgrace yourself—scrub a floor or clean the steps. Or, if that, perhaps, is a task which is occasionally expected of you, if you already belong to a useful class of society, see if there is not yet some lower depth to which you may descend—some filth or ordure to cleanse away, some thoroughly disgusting work to do. It will be a great and good thing, a really good and useful work, if you will each of you every day do some thoroughly disagreeable menial task. I believe you will find it a tonic to your own soul; but however that may be, I am certain it will be a kind and brotherly act, which may help to take the bitterness out of some other soul who, perhaps unknown and unsuspected, has suffered silently beneath the undeserved contempt which attaches to menial tasks.

There is, moreover, another good effect which such a rule of life would have. It would help us to realise what labour means, and would make us more considerate to the labourer.

A well-known lecturer, in one of his lectures on social economy, spoke recently of a class of young men who regard "Ring the bell and the tea comes up" as a law of nature. They cannot, or at any rate they do not, imagine that any trouble, or preparation, or work of any kind is involved in their little daily luxuries and comforts. They think that things do themselves. Or rather they do not think at all. I know that class of young men quite well. I have often come across them in the houses of wealthy manufacturers, of comfortable commercial men, of churchwardens and deacons of our more "influential" churches. They wear an air of discontent. They find fault with everything, especially with everything they eat. Their tailor never fits them. Their shoemaker does not know how to make a pair of shoes. Their servants are dolts. Their gardener is an old fool. Nobody seems to know how to do anything. It is true they cannot do anything themselves, but that has nothing to do with it. Their function is to enjoy.

Tolstoy lays it down that the good man is the man who occasions least work and does most. But we in our generation tend to become more and more exacting as the standard of



living rises, and to do less and less useful manual work ourselves as we gain the money-power which commands the work of others. One way to regain our sympathy with those who serve us, to realize their lives, and save ourselves from a luxurious discontent, is to share at times their work. It makes my blood boil sometimes to hear the supercilious way in which the well-dressed consumer speaks to the ill-dressed producer. In the street, and in the shop, and in the warehouse you may hear it, and you may hear it in the home. I sometimes wish there could be an Act of Parliament by which every mistress could be compelled to serve one week in the year in her own kitchen, every lady of fashion to serve as a dressmaker or behind a counter, every squire as a farm labourer, every dandy as a tailor, and so on all round. Meanwhile, we may without an Act of Parliament do something of that kind. We may share at times the labour of those who labour for us, try to enter into their difficulties, and to brighten their lives, and strive against the false shame which makes the menial task seem degrading. In this way we may manifest the spirit of Him who said "The Son of Man came not to be ministered unto but to minister."

HERBERT RIX.

## THE TREATMENT OF NATIVES IN INDIA.

WE have been told by Mr. Lecky that it was only during the century just passed that the duty of man to the sub-human group of animals came into the sphere of practical politics. This is not very surprising when we consider that the treatment of man by man still leaves very much to be desired, and that not only among non-civilized nations, but even by English men and women who pride themselves in no small degree on their humanity and their justice.

Anyone who has lived for even a short time in India will be able to testify to the sad lack, I do not say of courtesy, but of ordinary humane treatment, that is so conspicuous by its absence in the relations existing between the European community and the natives of Hindustan.

One cannot, it is true, deny that things are far better than they were some 50 years ago, but this is saying very little, and the fact remains that a very considerable advance on the present condition of affairs is much to be desired. Though the English sahib can no longer thrash a native servant on the least pretence, and if he does is liable to be prosecuted, yet the ordinary Englishman in India does in countless ways convey to his native dependents the impression that he regards them as the scum of creation, and the ordinary Englishwoman is rather worse than her husband or brother.

The natives of India are, like all Orientals, naturally polite and courteous to a degree that seems excessive and

insincere to our blunter natures. Polite phrases do not always bear strict examination in a severe court of sincerity, and yet they add in an untold degree to the amenities of life. I shall never forget once in India on returning to my house after a fortnight's absence, asking my native cook how he was, to which he replied, "In your Honour's service how can I be otherwise than well?" Imagine an English cook making such a rejoinder!

What must a race so essentially polite think of the manners and the religion of the English race as they know it in India? "Dog," "Son of a Pig," "Offspring of an Owl," and reflections on the virtue of their female relatives for many generations, besides epithets that are quite unprintable in *THE HUMANE* or any other Review, are terms frequently applied to servants, and even to the educated Babus on any and every occasion, often out of mere wantonness, when no cause of offence has been given, and this not only by "the brutal planter," as that section of the community is most invidiously termed, but by men of supposed refinement and by women who consider that the word "gentle" should be prefixed to the term "woman" when allusion is made to them.

Then again most offensive is the custom of alluding to natives generally as "niggers" when they have no negro blood in them, and their complexions are not black, as the word would imply, but are of a light mahogany colour. I have alluded to the planters, a class I am well acquainted with, having lived among them on the most friendly terms for many years. They are no worse in their treatment of the natives than are the officers in the Army, the civil servants, the "padrés," or the commercial community generally. The term "brutal" is a libel on the planters, if it means that they treat their native servants worse than other Europeans do; my experience is that they treat them rather better, as they are thrown perforce into closer relationship with them away on a lonely garden miles from any European station.

The planters have their failings, as their critics have, but

they have virtues that many would do well to emulate. They are generally hospitable, warm-hearted, generous to a fault, manly, self-reliant, cheerful under the most depressing conditions. Knowing them as I do, grateful for many acts of personal kindness, they will ever have a warm place in my heart; but their verbal intercourse with those working for them is not exactly polished and is far from being ideal.

The magistrates, too, with some notable exceptions of course (would that they were the rule not the exception!), are also most blameworthy for not setting a good example in this respect, and for not upholding the dignity of the governing race by illustrating the principle of *noblesse oblige*.

I wish to be perfectly fair in my strictures, and so must bear my testimony to the hard-working zeal displayed by the civil servants in India. They administer justice impartially to the best of their power, and as a rule do hold the scale of justice evenly balanced between European and native when a case comes before them, and have certainly in a great measure sternly repressed the ill-treatment of natives as far as physical ill-treatment goes. I am lost in admiration when I consider the marvellous way in which one man, often quite young, rules over a vast district and performs duties that would be discharged by at least a dozen different officials in Europe. Still they are not loved, nor can they expect to be, when their whole manner to the natives is offensive, rude, over-bearing, disdainful, and entirely devoid of sympathy.

I remember once meeting a native gentleman when I was out for an evening walk in the hills. I addressed him and soon found I was conversing with a scholar whose name is well-known in India and also in England and America. A religious reformer, a charming author, and an orator of no mean order, even when speaking in English, which was a foreign tongue to him, I invited him to lunch at my house and was proud to entertain him then and on many subsequent occasions. He told me that though he had been the guest of Max Müller at Oxford and had enjoyed the friendship of Matthew Arnold, he had never been invited to any European's



house before in the hills, though he had been a guest at Government House in Calcutta. The state of things I allude to, this utter want of sympathy and ordinary politeness, is much to be deplored. Human nature is essentially the same under a bronzed skin as it is under a white one, and human beings can only be won by love, sympathy and respect—never by rudeness, hard treatment, and contumely. The advance of civilization, the true progress of the race, must march along the line of a deeper spirit of Humanity, towards the establishment of the Kingdom of Love.

There are many encouraging signs to be seen, by the careful observer, of a more humane spirit abroad, even though war still raises its hideous head and a blatant militarism is epidemic in our midst. Societies with humane objects spring up all around us and earnest workers abound who strive manfully, in spite of all set-backs, to help to make not only Burns' prayer a *fait accompli*, "When man to man the world o'er, shall brithers be for a' that," but also to fulfil the larger hope and prophecy of Eliphaz the Temanite who looked forward to the day when "The beasts of the field shall be at peace with thee."

May this spirit extend to India! The West has as much to learn from the East, as the East has from the West, and as the two races become better acquainted, and live together on friendly terms, mutual benefits will accrue to them both, and the speculative spirit of India, acting on the more materialistic ideas of England, and being itself re-acted upon, should produce in the course of the ages a higher humanity, a nobler manhood, a more perfect realization of the divinity that is potential within us, but which is so seldom manifested in action.

R. SOMERVILLE WOOD.

## THE SECRET OF THE MOUNTAINS.

JUDGING from the current literature of mountain climbing, one might suppose that mountains had no secret at all—that they were mere fortuitous masses of rock-structure, formidable indeed to those unskilled in the cragsman's pastime, but supplying a ready playground for the expert. In the popular and less ambitious class of guide-book, written for the "tripper" who is deemed incapable of attaining an easy summit without instruction, and who is warned of the foolhardiness of deviating a yard from the appointed track, we do not of course look for any real appreciation of mountain character; but it is to be regretted that the same defect is scarcely less observable in the new school of mountaineering, of which Mr. Haskett Smith's well-known work on "Climbing in the British Isles" may be taken as the text-book.

Fifteen or twenty years ago an ascent of the more difficult crags and ridges in Wales or Cumberland was a comparatively rare occurrence; but now the Alpinists have discovered there are fine athletic possibilities in our British mountains and the word has gone forth that every peak and gully may be mastered. Hotel walls are accordingly covered with sensational photographs of "pinnacles" and "niches" with adventurous climbers perched in alarming posture on the very verge; and the frivolities of visitors' books are interspersed with the tremendous seriousness of the climbing records, narrating in technical language how Messrs. So-



and-So, "led" by Mr. Dash, surmounted some particular "pitch" (ominous term!) in Mr. Blank's gully—for every precipice must now be named after its conqueror. But of the mountains themselves, and of the mountain spirit, there seems to be as little understanding as before. The tripper is intent on the easy way, the climber on the difficult way; but both alike, with some distinguished exceptions, appear to miss the subtler and deeper aspects of mountain scenery.

Let me not be misunderstood as wishing to depreciate in any degree the art of mountaineering. Quite apart from its scientific value in the pioneering of Andes or Himalayas, and regarded merely as an athletic exercise, it is one of the finest of sports, and as one of its most accomplished professors, the late Owen Glynne Jones, has observed, while "hunting and fishing enthrall many men, mountaineering does not claim the sacrifice of beasts and fishes." For this reason, if for no other, humanitarians must honour the sport of the mountaineer; and those who are not themselves expert climbers, yet have long been familiar with the mountain life, will be the first to admire—and to envy—the marvellous skill which has carried men into places where, a quarter of a century back, no one dreamed of venturing. The craft of climbing is a splendid physical training which, as a school of manliness and courage, immeasurably transcends the wretched amateur butchery that masquerades as "sport."

But I would point out that there is another and still more important function of great mountains—the culture not of the athletic faculty alone, but of that intellectual sympathy with untamed and primitive Nature which our civilisation threatens to destroy. A mountain is something more than a thing to climb. To the many who, on a fine summer day, swarm up Skiddaw or Snowdon by the well-worn pony-paths, it is pure holiday-making; to the few who (in another sense) swarm up Scawfell Pinnacle or the Gable Needle, it is pure gymnastics; but between or beyond these two classes there are those who find in mountain climbing what only mountains can give—the contact with unsophisticated Nature, the opportunity to be alone, to be out of and above

the world of ordinary life, to pass from the familiar sights and surroundings into a cloudland of new shapes and sounds, where one feels the fascination of that undiscoverable secret (I do not know how else to name it) by which every true Nature-lover is allured.

But great mountains, it may be objected, are for the favoured few; it is not every one who can indulge in visits to the Alps or Pyrenees. It is, however, a mistake to suppose that it is necessary to go abroad to see great, or at least genuine mountains; for, as Wordsworth long ago remarked, the effect of mountain scenery is not a matter of height and measurement only, but depends far more on shapeliness than on size. Most of the essential features of true mountains may be enjoyed in this country—as, for example, to mention but a few out of many, in the gloomily impressive Cuchullins of Skye; in the more familiar and friendly heights of Lakeland and Wales, or even, in some degree, among the miniature but beautifully shaped hills of Shropshire. There is no lack of mountains within our reach, if we know how to regard them.

Nor is it yet too late to save our noblest mountains from the grip of "civilisation"—if the vulgarising savagery of modern commercialism deserves to be called by that name. The peak of Snowdon, it is true, though fortunately not the ridges, has been marred beyond recognition by that fatal railway (promoted solely by the desire to put money into private pockets and not by any real public need) which now scares the ravens with its hideous din; and in the Lake District the once wild and winding Thirlmere has been "improved" into a Manchester water-tank. But, thanks to the efforts of a few faithful friends, nearly all else remains undesecrated, and the attempts of vandalism on these surviving strongholds of Nature have so far been repulsed.\*

\* I would suggest, however, that these mountains may need to be saved from their friends as well as from their enemies, and that it is time a limit were put to the well-meant but mischievous practice of erecting memorial crosses or tablets in record either of fatal accidents or of personal associations. It is not fitting that a mountain should be plastered, like a cemetery or a lecture-hall, with epitaphs or inscriptions.



It seems certain, however, that nothing short of nationalisation can permanently save this priceless heritage from destruction. One would think that a nation which can spend hundreds of millions on a single war might afford to become the owner of its own mountain fastnesses!

It should be remembered, too, that these mountain ranges are almost the only haunt where certain rare animals can still to some extent hold their own. Whether the next century shall witness the extinction of such wild freebooters as the raven and the buzzard, must depend mainly on the protection afforded them by law against the sporting naturalist or "collector." Scarcely more than a hundred years ago the eagle was breeding in Borrowdale, as it still breeds in certain parts of the Scotch Highlands. Shall we ever have the wisdom to make these districts into sanctuaries for birds and mountains alike? Meanwhile the lover of wild nature, himself somewhat of a *rara avis*, must be thankful for what is spared in his time!

That mountains have some inner secret of their own, inaccessible even to the most venturesome of rock-climbers who that has sympathetically studied them will deny? There are moments when, as we stand in the presence of a great mountain group, we are almost overwhelmingly conscious of the brooding watchfulness, the sphinx-like reserve and expectancy, with which these silent sentinels confront us. What is the source of the strong yet mysterious attraction that draws us again and again to these wildernesses of rock and cloud, this "builded desolation" which might seem so antagonistic to human sympathies? Why is it that we find even a humanizing influence in wastes where our grandfathers could see nothing but what repelled them as "savage" and "ferocious"? The charm that binds us is as inexplicable as it is real. If human love is "of the valley" and calls us down, there is another and wilder love that is of the mountain and calls us up.

It is not to be denied, I suppose, that there are times and moods in which mountains bring a sense of oppression even to those who usually love them—when we crave rather the

boon of open space, the wider skies, and the fuller breath of the sea. As the author of "Ionica" has written :—

"The pitiless mountain stands so sure—  
The human breast so weakly heaves—  
That brains decay while rocks endure,  
At this the insatiate spirit grieves."

This, however, is but the sick fancy of a moment, for to a healthy spirit what pleasure, physical and mental combined, is equal to that of a long day on the fells? A climber who is neither tyro nor expert, and therefore not dependent on the companionship of others, on account either of his own incapacity or of the arduous nature of his task (for solitary climbing is deprecated as strongly by the cragsman as by the tourist) is able on the mountains to profit by a rare form of intercourse which, in the hurry and bustle of modern life, has become increasingly difficult; he can exchange ideas (if he has any) with *himself*. His surroundings are such as to quicken and foster such self-converse, not by the morbid introspection of the solitary—for, rightly regarded, there is no such thing as solitude among the hills—but by the liberating influence which these scenes exert both on the body and on the mind.

What we call "a day upon the mountains" is in truth an eight or ten hours' enfranchisement from a mortal obsession. Our chains fall from us—the small cramping chains of life-long habit—and we go free. We awake out of the deadly torpor of our every-day "occupations," and we live. Equipped with a modicum of simplest food, with map, compass, and field-glasses, we sally forth emancipated from all that usually deadens us to the direct messages of Nature. For it is one of Nature's citadels that we are scaling, and we know not in which of her varying moods we shall find her; but we know that in these uplands all her moods are beautiful, and that it is not the fair-weather climber that is privileged to comprehend them best. Here, at least, is a region where in all seasons, and in all weathers, not a sight or sound but brings contentment to the mind.



As we start up the valley, perhaps, the "white horses" of last night's rain-storm are racing down the slopes, and our staircase of mingled grass and rock bears the shadow of the dense cloud overhead—a scene of unrelieved dreariness to those who are unaware of what glories it may be the gateway. Toiling upwards, we reach the swirling fringe of vapour, which closes gradually round us and wraps from us all view of the familiar landscape below. Still on and up we press, till, as we set foot on the higher ridges, the magic of cloudland begins; for lo! what in the ordinary light of day were mere rocks and buttresses are changed now and magnified into mysterious shadowy forms, looming dimly out upon us from the mist, until we half wonder whether the compass on our own memory has misled us, and we have strayed into some strange unmapped district where the air is thick with phantoms. Often and often have I had such thought, when beclouded on the great rocky plateau of the Glyders or Scawfell Pikes, or groping my way along one of the narrow "cribs" of Carnarvonshire or one of the Cumberland "edges"; and I do not think that anyone imbued with the love of mountains would exchange these hours of cloudy surmisings for all the crystal skies that give the "views," so desired of tourists, from the top. Not that I would undervalue the exhilarating sensation—unlike anything else in life—of reaching the summit of a mountain; but to the true mountaineer all other interests are subordinate to the fact of the mountain-presence itself, even if that presence be veiled, as it often is, in remorseless drift of rain-cloud.

For it may be admitted that mountains, like some other objects of human affection, are apt to subject their lovers to a chilling ordeal, days and weeks of repeated denials and disappointments, until at times the most ardent may despond; or if one present himself as a returned prodigal, seeking instant favour after absence, he may but find, as Thoreau expressed it, that there has been killed for him "the fatted cloud." But to the faithful there will come at last, quite suddenly and unexpectedly perhaps, a moment which makes such gracious amends that all past unkindnesses are forgotten.

You are standing, it may be, on some high ridge or summit, drenched with rain, buffeted by winds, and wondering if perchance any sign is to be vouchsafed to you. The mist floats by in thick interminable volume. But see! What is that small dark rift in the grey monotonous curtain? Wider and wider it grows, until it is framed there, like a magic stage among the clouds, and through that gap, where a moment before you saw but twenty paces, you may now see as many miles, a fair expanse of valleys, lakes and rivers, with the sea gleaming in the back-ground. Another moment, and it is gone—to be restored again, and withdrawn again, in quick succession—a shifting scene more glorious than ever eye has witnessed, save in the region of clouds or dreams.

Still more marvellous are the transformations of the clouds themselves, when, after a spell of storm, they break up under triumphant sunshine and drift disbanded along the slopes. I remember how once, descending from Tryfan after a wet and dismal day, and returning across the low grassy moorlands to Capel Curig, I witnessed that strange form of mountain-mirage recorded by Wordsworth in "The Excursion." The corner of the valley above Llyn Ogwen was filled with dense mists, which came seething and boiling out of the hollow like steam from a cauldron, and as they broke up into small wisps and wreaths, under combined wind and sunshine, gave an extraordinary appearance to the northern front of Carnedd Dafydd, which was enveloped in a maze of billowy vapour, until it was impossible to distinguish rock from cloud or cloud from rock, and the illusion was exactly that which the poet has described :—

"Clouds, mists, streams, watery rocks and emerald turf,  
Clouds of all tincture, rocks and sapphire sky,  
Confused, commingled, mutually inflamed . . . .  
In fleecy folds voluminous enwrapped."

It is twenty-five years since I saw that sight, and I have scarcely forgotten a detail of it. We do not forget what we see among mountains as what we read in books.

There dwell in the memory too (for I must not give the impression that the mountains are always scourged with



storm) the days and sometimes weeks in succession when the weather is without a flaw—trance-like spells when the hills stand calm and pensive in every vicissitude of loveliness, now clear and imminent, with ridges sharply outlined against the sky, now dim and ghostly, half shrouded in a mild and breathless haze. But even the loveliest day is seldom perfected without the ministry of cloud, for clouds are the Genii of the mountains, concealing much but revealing more by their presence, and bringing to view the manifold depths and distances that would otherwise be unobserved. You cannot learn the moods and character of a mountain until you have studied its attendant clouds.

Nor is the ear less fascinated than the eye in these echoing temples, where the upper cloughs and chambers are as huge whispering-galleries, and sounds are often carried from immense distances, yet in so modulated and aerial a tone as to leave a haunting impression on the mind. There is a solemnity about these mountain voices which is only comparable, on a larger scale, to the effects produced in the hollow space of a cathedral.\* The deep unmistakable croak of the raven, as he sails on his straight course overhead, the shrill cry of the wheeling buzzard, the bleat of a mountain sheep, and even the noise of a detached stone falling from the cliff to the "scree," come to us with a significance which would hardly be intelligible elsewhere. The wind, too, has some strange things to tell us, as it tears itself into shreds on the rocks, or lifts the water from the tarns and streams and dashes it in spray to the sky, or startles us with muffled subterranean sobbings as we cross some exposed ridge. Listening among the higher mountains in rough or cloudy weather, one may hear sounds so wild and mysterious that their origin wholly baffles us. There is also felt, at times, a strange apprehension—or should we say premonition?—of the presence of human beings, which may be due to the

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\* Hence the perfect appropriateness, as has been pointed out, of Wordsworth's much criticised reference to the "solemn voice" of the mountain lamb.

ear having become unconsciously aware of their approach, if not to some other sense more poignant and occult.

At these altitudes, however, it is not the encounters with our fellow-humans that most vividly affect us, for it often happens that one may walk a whole day on the less frequented ranges without meeting what we call in our somewhat exclusive parlance "a soul"; nor perhaps is the intercourse, when it does take place, of a very noteworthy character. If we ascend by the popular routes or in the neighbourhood of well-known climbing places, there are of course "souls" to be met, and in plenty; but it is not always a very memorable impression that is left on the mind by our talks with some descending tripper or condescending Alpinist, the former of whom will ask us whether we have ever been on Snowdon before, and assure us as to the quality of the refreshments obtainable at the top, while the interest of the latter in our doings will be visibly diminished when he learns that we do *not* contemplate an ascent by the central gully of Lliwedd. What one remembers, rather, is the occasional glimpse into the free non-human life to which these mountains still furnish a refuge—the wild goat with long, silver-grey hair, surprised for one delirious moment on a ledge of the Rhinogs;\* the golden eagle mobbed by dwarfish-looking ravens on the shore of Loch Coruisk, until he sailed away on wide wings across the corrie; the buzzard, poised aloft like a windhover, off the great escarpment of the Glyders, so near that one could watch his barred plumage and quickly glancing eye; the score of ravens rising together in single flock from the heathery slopes of Skiddaw. Soul or no soul, these and such as these, are the sights that come back to the memory, and make us realise that the mountains, desolate though we think them, have their own dramas of life and

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\* It was lately remarked in a London paper that "wild-goat stalking among the Hebridean islands can fairly stand comparison with ibex shooting." I can testify that the sport is an excellent one when the field-glass is substituted for the rifle. How is it, by the way, that our study-naturalists, the scientists who classify bones at South Kensington, have not yet discovered the wild goat as an indigenous British species?



death—dramas that had been enacted for centuries upon centuries before mankind came on the scene. "The human soul is the blossom, not the beginning, of psychic evolution. Altruism is older than the mountains, and selfishness hardened the living heart before the continents were lifted up. There was wonder in the woods, and in the wild heart of the fastnesses, before there were wailings in synagogues and genuflections about altar-piles."\* Here, then, in the testimony which they bear to the primeval wildness of Nature, is another quality of mountains, above and beyond their common and obvious uses as the material of a bloodless sport.

And excellent as is the physical exaltation of climbing—the toil and triumph of the ascent—there is also an intellectual and spiritual element in the mountain-passion, which can lift us out of ourselves, and show us, from a higher plane of feeling, as no mere book-knowledge can do, the true proportions and relations of things. One cannot walk in such regions, consciously, without enlargement of thought. There are heights and valleys which, to those who seek them in a sympathetic spirit, are better "seats of learning" than any school or university in the land. There are days when the climber seems to rise into a rarer mental as well as visual atmosphere, and to leave far below him the crass cares and prejudices of commonplace life.

"I hearing get, who had but ears,  
And sight who had but eyes before,  
I moments live who lived but years,  
And truth discern who knew but learning's lore."

To everyone there is opened (if he knows it) his own doorway for stepping out into space—for detaching himself for a time from the heavy environment of customary thought. To many it is music that furnishes this passport; to others poetry; to some few the philosophic reverie, or deliberate practice of the *yoga*. I have ventured to speak of mountain-

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\* J. Howard Moore, "The Psychical Kinship of Man and the other Animals," HUMANE REVIEW, July, 1900.

climbing in a similar relation, and to suggest that, in certain aspects, it is indeed a form of *ecstasy*, a standing above, and out of, oneself. The mind, no less than the body, has its Snowdons and its Helvellyns—its Crib Gochs and its Striding Edges—and when we climb them we may rise superior, not only to the visible landscape but to ourselves, and survey from a new vantage-point the low-lying flats and pastures, or shall we say the table-lands (too often literally so) of our own tastes and habits. How many astronomers are busily intent on surveying the Mountains of the Moon! And shall we not devote at least equal attention to these Mountains of the Mind, which are far nearer, clearer, and more real to us? Their secret, maybe, we shall never fully read; it is at least our privilege to have guessed at it.

Thus it is that these our British highlands are sacred ground to some of us. We have gone on pilgrimage to them again and again, until the association has become, in a manner, a personal one; for there are instinctive sympathies with places as with people, and to many, as to myself, the connection with certain mountains has become a lasting influence, far more potent than that of books. They are the true authors, the standard works—printed in the most enduring type—that cheer and brace, as no written words can do, the minds of their admirers. How many days, amounting to months and years of my life, have I spent in their company; and how often have I been keenly conscious of their presence, even when living far away from them in the din and dust of towns! Going back to these mountain shrines, after long and unwilling absence, we find that in heart we have never left them at all.

H. S. S.



## THE FATE OF THE FUR SEAL.

WHO are interested in the fur seal? Certainly all who have taken any part in the agitation against cruelty to the lower animals. There is therefore no need to address any argument to them concerning the right policy to be adopted in regard to the use of seal skin. I believe that every humanitarian has heard or read of the atrociously inhuman treatment which is meted out to the docile and harmless fur seal in the process of hunting and killing. But there is a section of the public which has not yet realised these harrowing facts—the fashionable men and women who are responsible, directly or indirectly, for much of the diabolical cruelty inflicted on an unoffending animal at the behest of vanity. It is my desire to call their attention to the facts disclosed in this article, feeling sure that many of them are not wantonly thoughtless or criminally indifferent to the claims of compassion and humanity.

I have gathered together a mass of information from the Reports of Government officials, the works of eminent scientists, Arctic explorers and travellers, sea captains, and other trustworthy eye-witnesses, which constitutes a terrible indictment of the seal industry as it is at present carried on. With scarcely a single—I believe without a single—exception, every conscientious person who has given any thought to this question admits that the slaughter of the seal is a cruel and ghastly business. I am often advised by kindly-

intentioned friends to forbear citing instances of such loathsome and revolting practices, but my justification for so doing is that a thorough, fearless exposure of the hideous butchery of the seal is urgently required, and in my opinion the best way of making such a protest effective, and of enforcing the moral, is to give the sober truth, shorn of declamation and of rhetorical ornament; and this, in as few words as possible, is precisely what I purpose to do.

It may be necessary to explain, briefly, that totally different modes of hunting and killing are pursued in the open-sea on the one hand, and in the land "rookeries" on the other—places which are annually peopled by multitudes of these beautiful animals. The chief agents concerned in the seal trade are the United States of America and Great Britain. The former has for many years let the sealing rights which she possesses on the Pribyloff Islands (westward of Unalaska) to the North American Commercial Company, who hunt the seals on land and are estimated to slaughter 100,000 seals every season. The method of killing at Pribyloff—clubbing them on the nose—is generally approved as humane.\* The American seal hunters have no water rights; these are situated in the British area of Behring Sea. We let the rights of the seal fishing to our own compatriots, the Canadians and inhabitants of Newfoundland, who kill the seals by spearing, and are permitted to fish at any place outside a sixty-mile radius, and at any time. Pelagic or open-sea sealing is the only method followed by the British in these quarters and is extensively employed. This is the mode

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\* The Americans kill male seals only and do not disturb the breeding seals. The regulation as to spearing, made by the Paris Tribunal, has been found to work in the opposite direction to that intended. At present the shooting of seals is prohibited. "Almost all the seals killed in the Behring Sea," says a recent writer, "are females seeking food while their young are left on the islands, and they are taken when asleep in the water. The requirement that they shall be killed with spears and not guns permits the destruction to go on so quietly that the animals near those killed are not disturbed; whereas it is urged that if guns were used the report would awaken them, and many more would escape than under the present system." It is, therefore, desired to secure a reversal of the regulation made by the Paris Tribunal.



which is so strongly condemned by leading authorities as wanton and cruel. The American Government has repeatedly tried to put a stop to the British method, on the ground that it will ultimately exterminate the fur seal and ruin the rookeries. On the other hand it was vehemently insisted upon by the representatives of Great Britain in the presentation of their case before the Paris Tribunal\* that the overdriving and excessive killing on land by the Americans has principally wrought the real mischief in the rookeries. It cannot be denied that the land sealing is highly objectionable; but, at the same time, we feel that the British are the worst offenders, for there is no escaping from the conclusion that the enormous destruction of recent years—as shown by the statistics—is due to killing at sea, where discrimination of the sex is impossible.

It will be remembered that, during the recent dispute, Professor D'Arcy Thompson was sent out by the British Government to inspect the seal industry, and that, in his official report he stated that the industry was carried on in an orderly manner, in a spirit of obedience to the limitations of international law, and that there was no just cause for complaint. Needless to say the Americans tell an entirely different story—and we are inclined to agree with them. It has been their contention all along that in killing the breeding females we are destroying the seal herds, and that the treaty of the Paris Tribunal—even if the rules are properly administered and the regulations loyally obeyed—does not give the seals that protection which is necessary

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\* This great treaty of arbitration, which was framed in 1883, is a practical failure, and the reason it has failed is because the arbitrators did not consider the fur seal as a living animal, but as an article of trade. As Professor Starr Jordan well puts it:—"They considered it merely as a legal question, and the Board of Arbitrators, looking upon it as a legal question, arranged that the Americans could kill the seal on land and the English on the seas; that the Americans could kill the young bachelors, and the British the old bachelors and females; that they should be killed on the American side in April and August and on the Russian side in May, June and July, and while this from the legal standpoint seemed eminently fit and proper, from the standpoint of the seal it was a distinct failure."

for their welfare. They have made repeated efforts to secure a fresh international commission, to discuss evidence, examine witnesses, and review the subject in all its bearings. This being so, it would seem that they must have a very strong case indeed against pelagic sealing, otherwise they would not so readily venture to raise the whole question before an international committee of experts. As to which is more humane—pelagic or land sealing—I simply state the facts and leave it to impartial readers to judge for themselves.

#### LAND SEALING: THE "DRIVE."

It is said that great skill and discrimination is exercised in selecting seals for "driving." The process is carried on in the summer months, generally in the very early morning. Bachelor seals only are killed. Gangs of men (many of them natives) go down to the beach, quickly and craftily turn a group of young seals from taking to the water, and drive them some way inland to what are known as the "killing grounds," which in many cases are situated close to the native villages. Each man is armed with a strong sealing club, a stabbing-knife, a skinning-knife, and a whetstone.

I have read several accounts of what actually happens, written by participants in the business; from first to last they agree that the driving of the seals is very barbarous, and not at all a pleasant thing to contemplate. The reader may be quite sure that the following quotations fairly represent the facts.

Professor Lloyd Morgan, though no sentimentalist, gives a touching description of the unfitness of the seal for this terrible driving over the hard ground. Graceful and easy as are its motions within its watery home, it has no feet fit for walking on dry land. It can only flop, wobble, and hitch itself painfully along. He alludes to the driving as "a bad business indeed." The driving on the Pribyloff takes place annually, thousands upon thousands of these animals being



driven and forced onward, panting and helpless, over miles of rough, stony country, which it must be a torture for them to traverse. Hour after hour may thus pass before the drive is at an end. They are allowed to rest from time to time in order to cool off, as heating them injures their fur. As soon as they cease to gasp for want of breath the drivers step up and the march of death is taken up anew. Finally, they are again allowed to cool at the killing grounds. Before the butchery commences they are driven into a long column of from three to five abreast, and then made to pass between men who are armed with heavy clubs. As they pass their skulls are crushed in, and what the scene is like may well be imagined from the statement of a soldier who witnessed the slaughter of a drove of sea-lions, which are driven and killed in the same way. "This is the first thing I have ever seen or heard," he said, "that realises my youthful conception of the torments of the condemned in purgatory." (Quoted in Frank Buckland's "Log Book of a Fisherman and Zoologist.")

"However well regulated," says Sir George Baden-Powell, "the method adopted of driving fur seals must be cruel and destructive." Professor Elliott, the chief American authority on seals, and one who certainly possesses no bias against the operations of his countrymen, says that the animals are easily enough "brained" if struck direct and violently; but, he adds, "the seals' heads are stricken so hard sometimes that those crystalline lenses of their eyes fly out from the orbital sockets like hail-stones."

At the request of the *Journal of Zoophily*, Dr. William Gavitt, of Evansville, Indiana, who has lived many years in Alaska, and has seen the cruelties of the seal industry on St. George Island and elsewhere, recently published a description of the distressing sights of which he was an unwilling eye-witness. His account of the seal-hunt says that the animals are captured in the manner which we have described. After clubbing, the men load them on drays, and after stabbing (in the breast) skin them. The scene, "the flying of the eyes from the struck seal, the

crush of the skull, the flow of blood, the sobs of the dying, and the brutality of the heartless and careless men, was awful."

Professor Jukes says :—

"When piled in a heap together the young seals looked like so many lambs; and when occasionally from out the bloody and dirty mass of carcasses, one poor wretch, still alive, would lift up its face and begin to flounder about, I could stand it no longer, and arming myself with a hand-spike, I proceeded to knock on the head and put out of their misery all in whom I saw signs of life."

All this butchery takes place in full view of the breeding seals, no care whatever being taken to keep the slaughter of the "bachelors" a secret from their happier kinsfolk. Says Professor Elliott :—

"Even as we take this note, 40 men are standing there knocking down a drove of two or three thousand 'bachelors' for the day's work, and, as they labour, the whacking of their clubs and the sound of their voices must be as plain to those breeding seals, which are not a hundred feet away, as it is to us a quarter of a mile away."

The period during which the hunting of the fur seal can be carried on is very short, as the animals remain in "prime" condition from only twenty-eight to thirty days. Everything is done in great haste—a fact which partially accounts for the seals which are "accidentally" killed by overdriving and other violence and brutality inseparable from the actual driving and clubbing. The skins of all such animals as have died in this manner have no market value. Many a poor creature is left behind to die of sheer exhaustion, long before the clubbing ground is reached. "As this drove progresses along that path to those slaughtering grounds," writes Professor Elliott, "the seals all go ahead with a kind of walking step, and with a succession of starts, spasmodic and irregular, made every few minutes, often pausing to catch their breath, and making, as it were, a plaintive survey and mute protest. Every now and then a seal will get weak in the lumbar region, then drag its posteriors along for a short distance, finally drop breathless and exhausted, quivering and panting, not to revive for hours—days,



perhaps—and often never.” This is particularly so in the case of the heavy-coated animals, who soon become overheated, often foam at the mouth, and die snapping like mad dogs. It is said that on a long drive of seals three or four per cent. are lost from exhaustion.

The poorer class of animals, the scarred, and those whose fur is not in a good condition, together with the breeding and other seals who, for various reasons, are not wanted, are usually permitted to find their way back to the sea—many of them only to be taken the following season, and made to undergo once more the horrors of the cruel drive. Sometimes a seal who has been clubbed and is not wanted may get away; but in many cases, suffering from the wounds inflicted, it dies a slow and agonising death. If killed outright, the skin would not be accepted by the company; the men, therefore, do not trouble to put such animals out of their misery. Why should they?

#### OPEN-SEA FISHERY.

Undoubtedly the seal herds are decreasing. This is what the Governor of Alaska said in 1895: “No one at all familiar with the past history of these islands can look upon the deserted rookeries to-day and not realise with crushing force how great has been the diminution of seal life, especially the reproductive class, the females; and, indeed, that is admitted by all.” It must, I should say, be patent to every reader that the lot of the seal has not improved in the meantime. It is evident from the annual report of Professor C. H. Townsend, the well-known expert of the United States Fish Commission, that nothing short of absolute protection all the year round for pupping seals and their young, and an extension of the close time for both sexes generally, will save the herds from becoming extinct. Wherever freely practised, pelagic sealing has nearly destroyed all seal life, and it is reported that in the Antarctic the fur seals “are practically extinct” through the indiscriminate and wanton killing of old and young, male and

female.\* These facts are matters of record and accessible to all.

I will now quote from an article dealing with the commercial aspect of the question, which appeared in the *Graphic*, of April 12th, 1902 :—

"Twenty steamers, with an average crew of 200 men, or 4,000 men in all, get among the seals, which are found huddled together upon the ice. Each man, armed with a 'gaff'—a pole with an iron crook at one end—begins the slaughter. Young seals are easily killed—just a tap upon the head, and the little creature, with its pretty snow-white furry coat, which a moment before looked into the face of its captor with timid, fearful eyes, lies senseless, and soon its life blood stains the ice. . . . Three hundred thousand and more of these little animals are thus slaughtered in three or four days. The carnage is great—the work is cruel. . . ."

The "raids" upon the seals are made in the breeding season. It is not until the puppy seals are about a week old that the mother ventures out to sea in search of food. After feeding she lies on the water asleep, and while she is sleeping the sealers go up and spear her. According to Mr. Herman Liebes, almost the entire catch consists of females and young pups; and as several hundred thousands are slaughtered in this manner, to say nothing of the wounded animals, who, as the result of pelagic sealing, die a slow death in the water, this may be said to constitute the most objectionable feature of the British method. The pups are too small and feeble to take care of themselves, and they are simply allowed to starve gradually to death on the frozen snows. It is said that it takes from fifteen to twenty days, more or less, to starve the baby seals to death; beautiful little creatures with long, soft, light yellow or white fur to keep them warm during their

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\* Five years ago I wrote in the *Saturday Review*: "The question of the seal fisheries is an old one, and one which seems not unlikely to settle itself eventually by the extinction of the species." I know of no reason why I should change that opinion. Possibly a time may come when the seals will be "cultivated," or rather encouraged to breed in certain places, where they may be taken in a humaner manner. This would perhaps be preferable to total annihilation, the fate which threatens them at present.



infancy. Can anything be more pitiful than this wholesale condemnation of thousands of helpless pups annually to a slow and agonising death? Those who have visited the Alaska rookeries]state that the crying of the young bereft of their mothers is most heartrending, and that it would be almost impossible to imagine anything more distressing than the fate of the abandoned motherless pups.

Here is an extract from Professor D'Arcy Thompson's report:—

"The carcasses of dead pups, starved and emaciated, increased with appalling rapidity, until 12,000 were encountered by the assistant agents."

Thus, too, Professor Davis Starr Jordan, the United States Commissioner appointed to investigate the present condition of the fur seals. The extract is from an article in *Our Animal Friends*, March, 1897, the organ of the United States Society for the Prevention of Cruelty to Animals:—

"The destruction of seals during the month of August, 1896, was murderous, and the restrictions which were imposed upon it by the treaty are insufficient. If the destruction of these animals shall continue, their complete extermination within a few years appears to be certain. The cruelty of this murderous process is appalling. Professor Jordan says that since pelagic sealing began, 'more than 600,000 fur seals have been taken in the North Pacific and in Behring Sea. This means the death of not less than 400,000 breeding females, the starvation of 300,000 pups, and the destruction of 400,000 pups still unborn.' Nor do these dreadful figures tell the whole story. Professor Jordan continues: 'In this calculation, account is taken only of those of which the skins have been brought to America. No record of the animals lost after being shot or speared is available, though the number is known to be very great.'"

#### ARE SEALS SKINNED ALIVE?

There is unfortunately no doubt that the seals are often skinned alive, as the following passage from an article contributed by Captain Borchgrevink to the *Century Magazine*, will testify:—

"As a rule, the slaughter and skinning of the seals were most barbarous, bloody, and hideous—unnecessarily so. Specially cruel is the task when seal-pikes are used. Only rarely does a seal die from

one or two blows of the pike, and if it is not dead it is generally considered 'all the better,' for it is easier to skin a seal while it is half-alive. In the utmost agony the wretched beast draws its muscles away from the sharp steel, which tears away its skin, and thus assists in parting with its own coat."

The extract is of the first importance to us, because it embodies the deliberate testimony of an "outsider." Captain Borchgrevink makes no profession of humanitarian principles, and would probably deny with indignation any statement that labelled him with the term. Nor can he in any sense of the word be described as a "faddist." He simply tells us what he has seen. Dr. Gordon Stables, R.N., has witnessed similar horrible deeds, and can testify to the truth of Captain Borchgrevink's statements. Here is what he has to say: "I have been twice in the Arctic regions, and should know. Yes, I have seen brutal sailors skin the creatures alive, and pitch the kreng into the sea."

Professor Gambier Bolton also testifies to the same effect. He writes:—

"As if it were not sufficient to skin the poor creatures when they are only half-dead, because of the wretched seal, in its agony, writhing away from the skinning-knife, thus making the task easier for the human wretches who adopt this method, I am assured by an eye-witness that when this takes place in the close neighbourhood of the waves, the half-dead seals are thrown or kicked back into the water to die, and so as to be out of the way of the killers, who are busy with other victims."

Yet all this and more is done. Professor Bolton, continuing, says:—

"I could tell of even greater horrors; . . . of pregnant seals ripped open (although out of coat themselves, and, therefore, useless), but the fœtus torn away from them to make the extra soft and delicate fœtal sealskin, prized even more highly than the fœtal Llama and Astrachan skin (all, by the way, obtained in the same manner); and until the law steps in and with a firm hand once and for ever puts down these cruelties, by punishing with imprisonment anyone found dealing in these fœtal skins, and by appointing inspectors to watch the seal islands carefully and continually, they are certain to continue."

Instances such as these—which might be multiplied from contemporary publications—make it quite plain that seals

are not infrequently skinned alive. Who is responsible for this torture if not the consumer? Is it not done to provide "my lady" with a fashionable seal-skin sacque; and not even the plea that it is necessary can be urged in extenuation of it? Those fine people who glibly speak with pharisaic satisfaction of the "lack of refinement" in the Spanish woman who is the over-eager spectator of the bull-fight may be reminded of the fact that their own delicate hands are not so pure as they might be. London, the heart of humane England, is the great emporium for seal skins, the preparation of such skins being a speciality of English—and pre-eminently of London—workmen. And the men who do the killing—who are they? Have they not been described, over and over again, as "inconceivable savages" and "the scum of the earth." Idle, drunken, vagabond men can and do constitute themselves as sealers. And as there is no protection whatever—in the humanitarian sense of the term—for wild animals, the most villainous practices are indulged with impunity. Previous to 1873 there "was no law of God or man north of 53 degrees," as Kipling puts it; there is none still so far as the treatment of the seal is concerned. Except for the fact that they are not so numerous as formerly, their condition is practically as bad as it has always been under civilised man's supremacy.

Hardened sealers and seamen, performing their murderous task under difficult, trying, and peculiar circumstances, away from public supervision and wholly outside humanising influences, are scarcely likely to trouble themselves about the feelings of their victims.\* A certain sum of money is paid per hundred skins, which implies "piece work," and piece work necessarily means haste and increased suffering where animals are concerned.

"Civilisation and Humanity!" As Professor Fishart has scornfully remarked—"What are they to the men who

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\* The slaughter of animals for food is notoriously conducted in a most barbarous and clumsy manner. There seems to be no doubt that pigs are scraped alive in the Chicago slaughter-houses; and, as to the practices in this country, the skinning of sheep alive is still common.



turn into torture grounds and shambles the very spots which should be sacred to the rights of propagation and maternity? What veneration for those dictates can those men cherish who employ the semi-savage Aleut in forcing a beast that is half a fish to flounder over miles of dry land?"

Trade and vanity play into each other's hands, and it will be found that wherever the unfortunate seals exist, alike in Arctic and Antarctic waters, the commercial world has its agents, both of fashion and "necessity." This remark applies not only to the fur seal, but also to the true or common seal, and in fact to the whole seal tribe; and so far as we can ascertain, the treatment which they receive at the hands of the hunters is invariably of the same barbarous kind.

The seal trade is, truly enough, the story of the egret over again, different in form, but as full of blood-curdling horrors. It is melancholy to read of the extermination of seals in different parts of the world, where formerly they abounded; and yet it goes on and will go on; for in the present state of international feeling there is no prospect of any lasting reform. However, we are not concerned in this essay with the various points of international law which have been discussed, and the amendments which have been suggested, by the representatives of Great Britain and America: they are far too complicated to be dealt with in the space at our disposal; and, besides, it is like hoping against hope to fancy that either Power will insist upon the seals being humanely killed. The real reform must begin at home, and the best way is the simplest. Various suggestions have been made for humanising the seal slaughter, but they are, at best, clumsy palliatives. One certain and effective way of stopping, once for all, the cruel and brutal practices which are bringing about the extermination of the seals, would be to renounce those articles of clothing which can only be obtained at such a cost of agony. According to the *Spectator*, "the concern shown in this country as to the fate of the fur seal is largely due to a feeling of humanity." Let us hope so. There is ample ground for it.



It is said that seal skin, or some other fur, is a useful and necessary article of clothing, and that without it many people could not withstand the rigors of the English winter. This is a mere subterfuge. The seal-skin garment is coveted simply because it is what in fashionable circles is termed "dressy," whereas, as some may think, it is hopelessly dowdy. We are depending on the animal kingdom less and less for our clothing, and imitating the various wools, leathers, and furs. Preference should be given to the newer and better way. To do so would not involve so much self-denial as might at first appear.

The ruthless ill-treatment of the fur seal is a special horror, since he is one of the most timid of beings in the world; beautiful, too, is this inquisitive fellow, with his sleek skin and large liquid wondering eyes, at once so curiously human and so sharp and intelligent looking, his whole nature so faithful and loving. A writer in *Chamber's Journal* of November 27th, 1886, says: "It is stated of the fur seal of Alaska that there is no known animal, on land or water, which can take higher physical rank, or which exhibits a higher order of instinct, closely approaching human intelligence." Perhaps there is no species of animal in whom the maternal feeling is stronger or so strong. "Their affection for their young," writes Dr. Gordon Stables, "is more than ordinary. When they hear the wailing of their babies on the snow, as they are being ruthlessly murdered by the clubbers, the distracted mothers come up and commence waddling towards them. They are, of course, immediately killed." Such almost human protests against man's barbarity, from an animal possessing so strong a love of offspring, appeal strongly to us. One feels—one cannot but feel—dimly and vaguely though it be, that there is a kinship between ourselves and them.

JOSEPH COLLINSON.

## REVIEWS.

*Penological and Preventive Principles.* By WILLIAM TALLACK.  
(Wertheimer, Lea & Co., London. 1896.)

Our apology for reviewing a work six years old and then in the second edition, is that though not published by the Howard Association, it is known that it presents the views of the majority of the Governing Body of the Association, and is still advertised in its official documents. The title (which runs to a great length, and we omit a considerable part) is doubly a misnomer. First, the book does not deal with *principles* at all. Our author discusses details with great elaboration, and his discussions are often of considerable value, but as to principles we are quite unable to detect them. He indeed lays down some of what he regards as principles, which we are enabled to distinguish by means of his capital letters. Here, for example, is his "Third Great Principle"—"An ever-vigilant hesitation as to the acceptance of fashionable dogmas or popular conclusions is requisite." Who but Mr. Tallack would dream of putting this forward as a fundamental principle of *Penology*? It seems to us as applicable to any other topic as to crime and punishment: and even as thus extended it is incorrectly expressed. Instead of a hesitating acceptance (which we often find in the following pages) what is really required is a refusal to accept without satisfactory evidence. "Prove all things. Hold fast that which is good." The reader will, we apprehend, search in vain for the fundamental principles of penology in this book. He will even be at a loss to find out whether the author is a Vindictivist or an Utilitarian. His

discussions often remind one of the student who on being asked whether the sun went round the earth or the earth round the sun, replied, "Sometimes one, sir, and sometimes the other." This student was no doubt like Mr. Tallack in the very centre of the *media via*. The advocate of the heliocentric theory was in one extreme and the advocate of the geocentric in the other.

So much for "principles." But now come "Penology and Prevention." Are these things distinct? Or ought Penology to be merely a branch of Prevention? To a man who was really considering principles, not details, this is one of the first questions that would occur; but our author never deals with it. Indeed, his second great principle is to "avoid the divorce of elements that should always be held in union"—which of course is true of any subject whatever—but he goes on to state that in the case of crime the three elements which we must thus avoid divorcing are Prevention, Repression and Reformation. To us this seems like protesting against divorcing a man's nose and his eyes from his face. Repression, which our author at one time interprets by "Punishment" (a term which will suggest to many readers the idea of retribution, but which Mr. Tallack leaves undefined), and at another by "Deterrence," is in our opinion admissible only as a means of Prevention—not of course of preventing past crimes, but of preventing future crimes. And a similar remark is obviously applicable to Reformation. A two-fold division of the means of Prevention—not a three-fold division—is indeed, we think, desirable, viz., (1) weakening the motives which lead to crime, and (2) strengthening the motives to abstain from crime. The punishment of criminals comes under the latter head, the main object however not being to induce this particular criminal to abstain from crime—a point on which too much stress has often been laid—but to induce other people to abstain. Our object is to deal with crime generally, not with criminals individually. Crime can never be completely eliminated. If we can effect a satisfactory reduction in its amount nothing more can be reasonably expected. If the State declared war on a particular criminal the result would be most probably to enlist popular sympathy on his side before the contest came to an end. Perhaps it would not be an unwise course to let by-gones be by-gones, and deal with every case (except a first offence) on its own merits without inquiring into the past. At all events we should expect from an author



who distinguishes Penology from Prevention some explanation or account of the difference between them. In this book we have failed to find any, unless it be that the object of Prevention is to prevent a first crime, and of Penology to prevent subsequent crimes. But we are always left in doubt whether our author does not include Retribution in his idea of Penology, and whether, when he denounces certain punishments as too lenient (or in his language too "lax," as if leniency were always the result of negligence or carelessness), he means that they are not sufficiently retributive or that they are not sufficiently preventive.

That the author has read much and has endeavoured to add personal experience to the opinions of others and to official statistics cannot be doubted; nor can we doubt that he is a well-meaning and on the whole a humane man. But he is evidently overwhelmed by a mass of facts and opinions (on the latter of which he lays a very undue stress when they are those of persons of experience—as if experience did not roll off perhaps the majority of men like water off a duck's back); and having no principles to guide him and apparently no aptitude for drawing general conclusions from a mass of facts, he flounders about in the dark and leaves his readers no wiser than when they commenced. Regarding himself as *in media via*—though without any arrogance or self-assertion on his part—he assails all who are on either side of him either for undue severity or undue "laxity"—forgetting that in some instances he charges the same persons with both faults. But we never yet happened to meet with a man who did not believe that he was *in media via* and did not criticise those who were on both sides of him. And why Mr. Tallack's middle way should be regarded as nearer to the true medium than any one else's we fail to see. Indeed we should prefer to follow one who stands steady somewhere near the middle to one who constantly wobbles about for want of any definite *Principles* of Penology and Prevention.

We readily admit that many of our author's detached remarks are wise—though some are other-wise. A man who has read largely, and reproduces what he has read, is likely to exercise some discretion in what he reproduces, and to give us more of what is good than of what is bad; while an observer, even if he has no principles to guide him, will occasionally make a remark worthy of attention. But, as might have been expected, our author often attacks those who differ from him on very unsatis-



factory grounds, and relies on very unsatisfactory arguments in support of his own conclusions. We may instance his views on the Prison System of the United States. As a matter of fact this system differs in almost every State, and therefore the statistics of crime over the whole country afford very little guidance as to whether the system adopted in any particular State is good or bad. For this purpose it is plain that State statistics, not general statistics, are required. Our author first enlarges on the extreme and undue severity of the system adopted in some States; then he deals with the extreme and undue "laxity" of that adopted in others. It seems, however, to have occurred to him that an appeal to current popular opinion as to this undue laxity was not sufficient, and that it was desirable to prove that the more lenient system of imprisonment adopted by certain States had led to increased crime. A good reason if true. But how is it proved? Because there was a startling increase in the number of murders committed in the United States *as a whole*—including the States which he had accused of undue severity as well as those which he had accused of undue laxity. Let us take a step farther. If the prison treatment in certain States had become so lenient that intending criminals were no longer afraid of imprisonment, where would we expect the effect to be most conspicuous? Among the criminals who, if convicted, were certain to be imprisoned, not among murderers who ran the risk (even if it were a slight one) of being executed. But our author does not allege that there was any such increase. Then, like many other writers, he cites the small number of executions of murderers, compared with the number of murders, as proving the undue laxity of the American Criminal System. Yet elsewhere he tells us that in other countries the proportion of executions to murders has been further reduced without any increase of murders having resulted, and that in some countries the death-penalty for murder has been altogether abolished without disadvantage. Nay, he himself, though in a guarded manner, advocates the abolition of capital punishment. Why, then, does he lay stress on the small number of executions compared with the large number of murders in the United States? Small as it is, he would apparently wish to make it smaller, and so would we. We suspect, however, that if statistics were forthcoming it would be found that the real reason why these murders (including what in this country would be classed as manslaughters, and perhaps other deaths also) have

increased in the United States is not that the punishment of the convicted is not sufficiently deterrent but that the offender usually escapes conviction and undergoes no punishment at all. Mr. Tallack elsewhere notices this reason for the failure of punishments in preventing crime, but when the statistics appear to bear out his own conclusions he quietly ignores what he has stated elsewhere.

He charges England also with two contradictory crimes—undue severity and undue laxity—and cites illustrative examples. These examples are easily explained. The English Legislature is of opinion, and we think rightly, that it is impossible to divide offences and offenders into such classes that the same unvarying penalty will be the best and most equitable for all the prisoners comprised in each class. The difficulty is consequently met by giving the Judge or magistrate a wide discretion in passing sentence; and of course some Judges and magistrates have a tendency towards severity and others towards leniency. This inequality of sentences is undoubtedly an evil, but under no possible system can it be entirely removed. It would be desirable that Judges and magistrates should study (what they will not find in this book save partially in a quotation from Mr. Barwick Baker, p. 205) the reasons for which punishment ought to be inflicted, and reduce their sentences to the minimum that is necessary in order to attain the desired ends. A court in which sentences could be revised would also be very desirable. But while our author enlarges on the iniquity of undue severity or undue laxity, he does not refer to any principle for deciding whether a given sentence is unduly lax or unduly severe. He cautions his readers against accepting popular dogmas without hesitation: yet when he meets with a sentence much more severe or much more lenient than usual, he writes as if its undue severity or undue laxity were self-evident, without assigning any reason except popular opinion. As already suggested, we should have expected a writer on the Principles of Penology before pronouncing any sentence too severe or too lenient to have asked himself the question, For what purpose? If for example, the main object of the Legislature were to maintain the efficiency of the army, the crimes which we should endeavour more strenuously to suppress would be frauds connected with supplying bad arms and ammunition, unsound horses, and bad food and clothing to the soldiers; but if we rated other matters above successful warfare we might take



a different view. There can be no doubt that a century ago our present criminal system would have been regarded as too "lax," and as affording all kinds of inducements to crime; and if we could foresee the Criminal Law at the end of another century, the great majority of the present generation (including our author) would probably express the same opinion with regard to it. Nevertheless we venture to predict that the increasing "laxity" which our criminal system will exhibit will be accompanied by a decrease of crime. Such at all events has been the law of progress hitherto. Crime has diminished as punishment has become more lenient. And on such matters the "common sense" of one generation is not the common sense of the generation which succeeds it. In criminal administration, if in anything, we should take counsel of the future not of the past. But such counsel our author never takes. The present seems to be the utmost limit of his capacity. His future is in another world, not in this.

Flogging is a punishment to which our author gives a qualified—is there anything in the book that is not qualified?—adherence. Why? Chiefly because it cannot degrade persons who are already as degraded as they can possibly be. This is a negative not a positive merit. It does not seek to prove that the punishment will do good, but only that it will not do harm. But does Mr. Tallack contend that under the existing law no person can be flogged who is not of the utterly degraded character that he describes? or that if the law were extended—on which point our oracle appears to be silent—the punishment would still be limited to the utterly degraded persons who could not feel further degraded thereby? He also seems half disposed to advocate flogging for juvenile offenders. Why? Are they so degraded as to be past feeling? Oh, no! It is no degradation to them! Why not? And at what age does the punishment cease to be degrading? Is it no degradation to a boy of sixteen, while at seventeen it should only be applied to a youth who is already so degraded that flogging cannot make him worse? But, it is objected, he is not flogged with the cat; he is only birched. Well, then, is birching not degrading to an adult, while flogging with the cat is? Surely the contrary is evident. Flogging with the cat produces more permanent effects on the skin and is perhaps more painful, but birching is the more degrading punishment of the two. And we suspect that those who declare that birching is not degrading because they underwent it when



they were young, would express a different opinion if it were proposed to inflict it on them now. Our author does not seem to care much as to what crimes we flog boys for; but he would only flog adults for crimes of cruelty, and he amends Solomon's "rod for the fool's back" by adding the word "cruel" before "fool" (not to allude to the substitution of the cat for the rod). But why flog the cruel criminal? Mr. Tallack does not venture (at least directly) to appeal to the *lex talionis* and say that we ought to flog him because he deserves to be flogged, though by enlarging on some cases of extreme cruelty he seeks to arouse the desire of retaliation in the mind of his readers.

He hints that imprisonment is ineffectual in the case of persons guilty of crimes of violence. But where are the statistics that prove this? No doubt there are a considerable number of persons in whose case imprisonment under the present conditions appears to be ineffectual; but they chiefly consist of habitual thieves and drunkards, while, as regards crimes of violence, we do not find in the volume before us any tangible reason for concluding that flogging would succeed where imprisonment has failed. Our author glances at the current allegation that a cruel man is always a coward. As a matter of fact I think the majority of the men who were remarkable for their cruelty in history were brave. Certainly no one need go far to find examples in which bravery and cruelty have been combined. And a great many of the cruel acts which bring men and women before our Criminal Courts have been committed under the influence of drink when the difference between the brave man and the coward almost disappears. It may be added that women and children may suffer much less from the violence of a brute than from entrusting their whole means of livelihood to some such speculator as Mr. Jabez Balfour. Mr. Tallack talks of mercy to those who suffer from this violence. This of course begs the question. The proper word is not *mercy*, but *protection*, and the only tenable defence of flogging for crimes of violence is that it would protect the usual victims more effectually than any other punishment. But we cannot find that Mr. Tallack ever attempts to prove this, though on more than one occasion he seems to assume it. The work is interspersed with anecdotes which are often inaccurate and sometimes inapposite. On the present question he gravely informs us that the future Lord Eldon was flogged by his father for stealing apples! This may be true, though the

authority is not quoted ; but we suspect that there were other Lord Chancellors who stole apples and were not flogged, while there certainly were a good many boys flogged for stealing apples who never attained the woolsack. As a set off for John Scott we may quote a man who has made his way in the world though he did not become Lord Chancellor. "I was between thirteen and fourteen when, after my father had given me a severe drubbing for telling a lie which was not a lie, I ran away" (and never came back). Perhaps that boy would have emulated Lord Eldon if his father had let his "drubbing" alone. Anecdotes, even if true, prove little, and most of Mr. Tallack's anecdotes do not to our mind bear the impress of truth. We should not be surprised, however, if prisoners in many prisons told visitors that they were very happy and contented. Did it never occur to Mr. Tallack that they had reasons for not saying the contrary? The prison system in other countries than England tends to make the prisoners systematic liars when visits are allowed. Our author's qualified approval of the cat and the birch, we may add, extends to the stocks also.

Our author of course airs his views as regards cumulative sentences and cellular confinement. He regards cumulative sentences as on the whole lenient, inasmuch as in practice the sentences on old offenders increase more rapidly than they would do under his sliding scale. This we doubt ; but even if it were true, there seem to be better modes of moderating second and subsequent sentences than the introduction of a cast-iron scale. Here is one of Mr. Tallack's typical examples of an over severe sentence : "F. was sent to penal servitude for his first offence (embezzlement). He then continued honest for sixteen years, when, for stealing some candles, he was sentenced to seven years' penal servitude and seven years' supervision. Surely the sixteen years' interval constituted a claim for more mercy and for a mild and moderate penalty." Quite true ; but would the man have fared any better if Mr. Tallack's cumulative sentence system had been in force?—especially as our author regards police supervision rather as a beneficent arrangement than as an additional punishment which adds greatly to the ex-prisoner's difficulties in trying to earn an honest living.

As to the cellular system, our author admits that its advantage is only negative. It has no tendency to reform the prisoner. It only prevents him from becoming worse by association with



others as bad as or worse than himself. He also admits that it involves an amount of solitude which adds to the severity of the punishment, and therefore contends that its adoption ought always to be accompanied by a shortening of the sentences. But when the Home Office to a large extent adopted this cellular system *without any shortening of the sentences*, did our author or did the Howard Association protest? Did they even ask that when cutting off association with inmates of the prison, greater facilities should be given for association with outsiders—that visits from relatives and friends should be allowed more frequently, correspondence permitted more freely, and newspapers, &c., not excluded? Surely when the severity of the punishment was increased by cutting off “evil communications,” more facilities should have been given for all kinds of communications that were not evil. But even still we do not know that our author or the Howard Association have urged this.

Our author favours imprisonment for debt, which he confounds with the “punishment of fraudulent debtors,” and approves of severe treatment for the imprisoned debtor because it will probably lead to payment of the money even if the debtor has to beg, borrow, or steal it. Mr. Tallack’s ideas about restitution may explain this: though many a man cannot restore all that he owes, and in the race for payment the man who has least scruple about sending the debtor to prison, is pretty certain to win. But what are we to say of our author’s views about treating criminal lunatics with severity in order to prevent other lunatics from committing crimes! We suspect that among the men of experience whom he consulted, and on whose opinions he often places too much reliance, no “mad doctor” was included.

Space will not allow us to follow our author through all his details. We will merely say in conclusion that the book contains much that is true, much that is useful, and much that is neither true nor useful.\*

APPELLANT.

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\* Travelling outside of Penology, here is one of our author’s Principles: “It ought to be a *fixed principle* that every pauper child, as such, should not involve to the State an expense of more than *about* two half-crowns a week” (p. 354). On the other hand a really important principle in Criminology is laid down in a passing quotation and not referred to again, viz., “None are so good that they may not err; and none so bad that they cannot reform” (p. 406).



*The Vivisector.* A Play in Three Acts. By ERNST ARTHUR LUTZE, M.D. (Emanuel Lederer, 13, West 42nd Street, New York.)

*The Logicians.* An Episode in Dialogue. By MONA CAIRD. (William Reeves, 83, Charing Cross Road, London. 3d.)

The only thing in common between these two Plays is that both deal with the terrible subject of vivisection, and from an anti-vivisectionist standpoint; in their manner of treating the question they are as far apart as they could be. The need of some powerfully written story or drama which might be to the anti-vivisection movement what "Uncle Tom's Cabin" was to the cause of anti-slavery, has long been acknowledged; but the difficulties that stand in the way of such a work are enormous, and it would seem to demand the genius of a Tolstoy to surmount them. Only those who possess this genius (if such there be), or those who do not realise the need of it, are likely to attempt such a labour; and it is to the latter class of writers that Dr. Lutze belongs. We are far from saying that his Play, quite apart from the praiseworthy purpose with which it is written, is devoid of merit; on the contrary, it is designed with considerable ingenuity and power. It is, however, not drama, but melodrama—a boldly woven tissue of sensational incidents, in which the reader is hurried from one surprise to another, until he is fairly sated with crimes and retributions, villains and heroes, scheming vivisectors and benevolent noblemen in disguise. The good genius of the Play is a humane Duke, the governor apparently of the German principality in which the scene is cast; and it is by his agency that Dr. Lenari, a drunken reprobate of a vivisector, is reclaimed from his brutality, and becomes a model scientist and citizen. There is, however, another more determined sinner, a Dr. Martius, on whom the most thrilling judgments fall; and the Play closes with a public attack on the Physiological Institute, and the prohibition of vivisection by ducal decree.

It is probable that the Play has suffered much in the translation, as when the Duke, after listening to the recital of some poetic balderdash composed by the reformed Dr. Lenari, exclaims, "Bravo! Bravo! Unparalleled! Very beautiful!"; and it is possible that it might be performed with success (before an uncritical audience) in this country, as is said to have been the

case in Germany. But it is useless to hope that the cause of anti-vivisection will be permanently promoted by any dramatic work that is not good in the *dramatic* sense as well as in the moral sense; and we cannot honestly say that "The Vivisector" can be so described.

When we turn to "The Logicians" we find a Play of an altogether different type, less ambitious in its scope than "The Vivisector," but greatly superior in execution. The scene is laid in "Mrs. Gibbins' drawing-room on her afternoon at home," Mrs. Gibbins being a lady who, like her friend Mrs. Tresham, is a devoted admirer of the medical faculty, which causes her to deplore the humanitarian tendencies of her niece, Dorothy. When to this company are added two vivisectionist doctors (both in love with Dorothy), two lady champions of anti-vivisection (one of them, Miss Cruncheon, an eccentric who will be recognised by some readers as a study from life), and other characters, there is all the material for a lively "episode in dialogue," and very clever Mrs. Caird's dialogue is. Here is a specimen:—

"DR. CATCHPOLE [*engagingly*]. We are not fiends incarnate, ladies!

"[*The ladies murmur admiration and confidence.*]

"PROF. COOPER. One would suppose, to hear some of these amiable agitators talk, that we were a set of hired assassins reeking with our country's blood!

"MRS. GIBBINS [*shudders*]. Have none of these known what it is to be brought through—

"PROF. COOPER [*interrupting*]. They speak of us as if we were darkly engaged in committing mysterious and underhand crimes in defiance of the law.

"DR. CATCHPOLE. Whereas—

"MRS. GIBBINS [*with enthusiasm*]. Whereas they are all done openly and straightforwardly under an Act of Parliament!

"[*DR. CATCHPOLE blows his nose and looks across to PROF. COOPER, who drums on his knees with a paper knife.*]

"DR. CATCHPOLE [*recovering himself*]. The fact is, that the whole subject has been obscured by these hysterical agitators—Logic is in vain. You may take it from me, my dear ladies—and I have had a large and intimate experience of laboratory practice—that there is not the slightest vestige of truth in the wild statements of these good people. Their assertions are the offspring of an inflamed imagination. Inspired by it, these enthusiasts—let us call them so in charity—do not hesitate to vilify an honourable profession, accusing us of the most atrocious crimes!



"MRS. TRESHAM. But no sensible person, DR. CATCHPOLE, pays the slightest attention to their ravings. Nothing would induce me to believe that humane and tender-hearted gentlemen—kind husbands and fathers—would *dream* of torturing any creature however humble—besides, as I always say, what *are* the pangs of a few animals compared with the good of humanity and the interests of Science?

"MRS. GIBBINS [*a little confused*]. But—dear MRS. TRESHAM, DR. CATCHPOLE assures us that the animals suffer *no* pangs—

"DR. CATCHPOLE [*soothingly*]. None whatever, my dear madam,—none worth mentioning. [*Candidly*.] I do not say that a rabbit may not, in certain cases, be called upon to endure a slight pin-prick, in order that some blue-eyed little one [*indicates domestic portraits*] may be torn from the grasp of some fell disease—in order that the life of the bread-winner may be spared, or the beloved wife and mother restored to the arms of her sorrowing family. [*Gazes again at portraits*.] For such ends as these, our physiologists have felt justified in performing a slight operation on rabbits or guinea-pigs, such as our tender infants are subjected to in vaccination."

The "episode" ends, of course, in the rout of the physiologists, who are put to flight by a threatened reading from their own works on vivisection. It is altogether a woman's victory; for Bob Eccles, "an impecunious youth" (also in love with Dorothy), is the only male character on the anti-vivisectionist side, and when he is told by Miss Cruncheon that he is "not such a fool as he looks," we feel—in view of the nature of his conversation—that his appearance must have been very foolish indeed. The Play is well and crisply written throughout, and we hope it will be put on the stage at some anti-vivisectionist entertainment.

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*Poems of Sixty-Five Years.* By ELLERY CHANNING. Selected and Edited by F. B. Sanborn. (Philadelphia and Concord: James H. Bentley. 1902.)

Ellery Channing who died on December 23rd, 1901, was the last member of the gifted band of writers who made Concord famous—the friend of Thoreau, Hawthorne, and Emerson. The public is indebted for this handsome volume to two admirers of Channing's verse, Mr. James H. Bentley and Mr. Henry S. Borneman, who have undertaken the expenses of publication; while Mr. F. B. Sanborn, who knew the poet intimately, has written a valuable Introduction. Channing's genius was of a



wild and wayward character, and his writings are of unequal interest, but that he possessed real poetical powers no reader of these poems will deny. We quote some stanzas from the remarkable piece entitled "England, in Affliction" (1843):—

- "What though the calm Elysium of the air  
Hangs violet draperies o'er the Grecian fanes?  
What though the fields of Italy are fair?  
Above them England towers, with mightier gains:  
Yet, tell me, are her sons bound fast in chains?  
The fearful note of misery sounds so high  
From her wide plains up to her clouded sky.
- "Thy surplice—shall it hide a purse of gold?  
The smooth and roted sermon doff to Fame?  
Extinguished every aspiration bold,  
While only sounds some formal, empty name?  
Shall her old churches make proud England tame?  
Throw ashes in those hearts where once coursed blood,  
And blind those streaming eyes from sight of good?
- "England!—the name hath bulwarks in the sound,  
And bids her people own the State again;  
Bids them to dispossess their native ground  
From out the hands of titled noblemen;  
Then shall the scholar freely wield his pen,  
And shepherds dwell where lords keep castle now,  
And peasants cut the overhanging bough.
- "Fold not thy brawny arms as though thy toil  
Was done, nor take thy drowsy path toward sleep!  
There never will be leisure on thy soil,  
There never will be idleness on thy steep;  
So long as thou sail'st the unsounded deep,  
New conquests shall be thine, new heritage,  
Such as the world's whole wonder must engage."
- 

*The Service.* By HENRY DAVID THOREAU. Edited by F. B. Sanborn. (Boston: Charles E. Goodspeed. 1902. \$2<sup>50</sup>.)

This posthumous essay, written in or about the year 1840, was offered by Thoreau to Margaret Fuller who was then editing *The Dial*, but was not published by her. It is a welcome sign of the growing appreciation of its author that after a lapse of sixty-two

years "The Service" should now be issued in a handsome form, with interesting Notes and Introduction by one of Thoreau's biographers—the latest of the many recent valuable additions to Thoreau literature. The essay is written in Thoreau's early paradoxical style; and though it cannot be said to be comparable with his masterpieces contains several characteristic passages of great power and beauty.

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*Beasts of the Field.* By WILLIAM J. LONG. Illustrated by CHARLES COPELAND. (Messrs. Ginn & Co., 9, St. Martin's Street, London. 1902. 7s. 6d.)

Mr. Seton Thompson will have to look to his laurels, for here is another admirable collection of stories dealing with wild animal life in North America, by an author who has not only a very intimate experience of the forest, but a style that is excellently adapted to his purpose, clear, vivid, and picturesque. The book, which, together with a kindred work, "Fowls of the Air," is partly a reprint from earlier published volumes, consists of a dozen chapters treating of such "wood folk" as the bear, the lynx, the moose, the caribou, the beaver, the otter, the fox, the weasel, the squirrel, the rabbit, and the wood mouse—all of whom are set before the reader with rare descriptive power and the still rarer insight that only sympathy can bestow. Mr. Long apparently is, or has been, a hunter and fisherman, but his narrative records many incidents where the humane impulse proved more powerful than that of the sportsman, and the life of the quarry was spared at the very moment of victory, with the result that, while a supper or a specimen was lost, a store of deeper and truer knowledge was acquired. Here is his testimony to the humaner study of Natural History:—

"To see Br'er Rabbit at his best, one must turn hunter, and learn how to sit still and be patient. Only you must not hunt in the usual way; not by day, for then Bunny is stowed away in his form, where one's eyes will never find him; not with gun and dog, for then the keen interest and quick sympathy needed to appreciate any phase of animal life gives place to the coarser excitement of the hunt; and not by going about after Bunny, for your heavy footsteps and the rustle of leaves will only send him scurrying away into safer solitudes. Find where he loves to meet with his fellows, in quiet little openings in the woods. Go there by moonlight, and sitting still in the shadow let your

game find you, or pass by without suspicion. This is the best way to hunt, whether one is after game or only a better knowledge of the ways of bird and beast."

In like manner we find Mr. Long abjuring the trap, in the case of his fellow-fisherman, the otter. "One who watches him thus," he says, "is apt to know the hunter's change of heart from the touch of Nature which makes us all kin." It is this humane spirit, in conjunction with a genuine artistic faculty, that makes the book so valuable, and gives it a distinct place in the new school of nature-study which is gradually replacing that of the collector and blood-sportsman. We heartily commend Mr. Long's writings to the notice of humanitarian readers.



## CORRESPONDENCE.

### IMPRISONMENT FOR DEBT.

*To the Editor of THE HUMANE REVIEW.*

SIR,—The article on "Imprisonment for Debt," in THE HUMANE REVIEW for July, though favourably noticed in more than one quarter, has met with hostility in others, and in some instances from well known advocates of the cause of humanity. Some further remarks seem necessary in order to place the matter in a clear light.

The article dealt only with imprisonment under Part I. of the English Debtors' Act of 1869, and the Irish Debtors' Act of 1872. There are other Acts under which persons who have not been convicted of any crime may be imprisoned for non-payment of money—for example, money ordered to be paid for the maintenance of a man's wife and children. The money thus paid (or ordered to be paid) is not an ordinary debt, and I was not discussing the law in relation to it. The obligation to maintain a man's wife and children seems to me to be of a higher order than the obligation to pay a debt; and I have no doubt that, in considering the question whether the debtor had the means of paying the debt, the Court in all cases inquires whether he has the means of payment *after providing for his wife and children*. The law of imprisonment for contempt of Court probably requires amendment, but I was not dealing with it generally. I was dealing only with imprisonment for non-payment of ordinary debts under the provisions of Part I. of the Debtors' Act. It may be said that such imprisonment is an imprisonment for

contempt of Court—the imprisoned man having disobeyed an order of the Court. But there are two simple modes of getting over this difficulty; first by providing that the Court shall not order payment of debts, but merely authorise the creditor to procure payment out of the debtor's property and assets by recognised legal methods; and secondly to provide that the penalty for contempt of orders for payment of debts shall not include imprisonment. This latter limitation would involve nothing new. A juror who does not attend when summoned is guilty of contempt of Court; but jurors are called on fines, not on the threat of imprisonment, and I know of no instance in which the absent juror was imprisoned for non-payment of the fine. A judgment may be generally described as an order to pay on pain of execution against the debtor's property. Is such an order rendered nugatory because it does not involve an execution against his person? At all events, in Scotland it does not involve the latter consequence. But while the Scotch people have been for thirty years without the remedies against debtors which exist in the sister kingdoms, there appears to be no desire to extend these provisions to Scotland, and no general complaint that the judgments of the Scottish Courts are treated with contempt. And I do not believe that the English people or the Irish people are less inherently honest than the Scotch.

I do not of course deny that when the Court has ordered one debt to be paid and has not made a similar order as regards another, payment of the latter in preference to the former is a contempt of Court. And for that very reason I think Courts ought not to be required to make orders for payment of debts without inquiry as to the other demands against the debtor. In fact the law itself recognises the priority of other claims. The landlord can distrain without any legal process, while all other creditors must obtain a judgment before seizing the debtor's goods; and even when they have been seized the landlord can step in and claim priority for his rent in priority out of the proceeds of the sale. Owing to these privileges the landlord rarely seeks to recover his rent by means of a judgment and motion for committal. Why then should it be a contempt of Court for the debtor to pay the landlord in priority to a judgment-creditor who has obtained an order to pay? At all events the preference involves no moral delinquency. It is in fact only

carrying out the policy of the law. Why then imprison the debtor for it? Nor is rent the only debt of this kind. It often happens that the most pressing and meritorious debt is not that for which the judgment and order to pay has been procured. The present law has often the effect of inverting the due priority of debts—a priority which would be established if the case went into bankruptcy—and enforcing this inversion by means of imprisonment.

The fault which I found was with the law, not with the administrators of it. But when there are a great number of administrators, and the law allows a wide discretion to each, it is almost certain that there will be great differences of practice. The change which Judge Emden stated had taken place in his Court since his appointment sufficiently showed that his mode of administering the law differed from that of his predecessor. The County Court Judge, whose views Lord Bramwell quoted with approbation in *Stoner v. Fowle*, did not entertain the views of many of our present County Court Judges. "Punish them severely and you will drag the money out of their friends," was his principle. "Get money, my sons," is said to have been a dying father's advice, "honestly if you can, but get money." So there are still, I fear, Judges who act on the principle, "Get the money for the creditor—no matter how or from whom, but get the money." Such Judges regard the State as playing the part of a debt-collecting agency—and what else is it? It would seem that even the idiosyncrasy of the gaoler affects the punishment which the unfortunate debtor undergoes. "A veteran Governor of a gaol," writes Mr. Tallack, "informed the writer that he had adopted an effectual scheme to disappoint such expectations. He imposed, as far as possible, conditions of restraint and strict separation. Consequently in a day or two after entrance, the debtors were almost certain to exclaim, 'I have had enough of this. I'll pay. Let me out.' In instance after instance the money was promptly paid in that prison after a little profitable isolation and meditation." And probably the "veteran Governor" received the thanks of the creditor in the shape of a small commission on the debt recovered through his instrumentality. This was before the Act of 1898, but something of the same kind may still occur. In any event why should the liberties of Englishmen who have committed no crime be left to the discretion of every man whom the authorities may be pleased



to appoint to a judgeship—the choice being as likely to fall on a Day as on a Mathew? We do not allow our Judges so wide a discretion in dealing with criminals.

In pointing out that debtors were treated as criminals in all respects after the committal (for the committal takes place after a much less satisfactory inquiry), I fell into an error, which I desire to correct. They do not associate with criminals. The Statute prohibits this association. But the Rules framed under this Statute go a step farther. The confinement is cellular, and debtors do not therefore associate with anyone! Once a week they are permitted to have an interview and to write a letter! What is this but treating them as criminals? Did we ever treat imprisoned debtors in this way under the old system? They are not even treated as first-class misdemeanants. They are in the second division. A man convicted of a criminal libel is very possibly in the first. Under the Debtors' Act, the non-paying debtor who is no criminal is clearly distinguished from the fraudulent debtor who is a criminal and is to be tried and sentenced as such. But we treat the non-paying debtor as a criminal in every respect except that we exclude all association between him and criminal prisoners; and it is practically admitted that our object in treating this non-criminal as a criminal is to screw the money either out of him or out of his relatives and friends. We do not concern ourselves with the question where the money comes from, or whether the prisoner in discharging this debt has not incurred other debts of larger amount.

Some persons have asserted that this power of imprisonment for debt is essential to our credit system. How then do the Scotch people get on without it? And one of the severest critics of the English Act of 1898, and of the Rules made under it, was Sir Charles Cameron, one of the members for the commercial metropolis of Scotland. Among those who most frequently appeal to the provisions of the Act (though not always successfully) are Jewish hawkers, who go about urging working men, or rather their wives, to take their wares on credit, and if refused insist on leaving them, when the retention enables them to sue for the price, which is considerably in excess of the value. Nor is this the only instance in which credit is pressed on men who do not seek for it. Many of my readers have doubtless received money-lenders' circulars besides seeing their advertise-

ments. Is it desirable to encourage this kind of credit by imprisoning men who never sought it, in order to extort the money (with costs added) from somebody?

My own experience of instalment and committal orders is not large, but among the recent cases that I have met with were the following: First, a creditor for £1,500 obtained an order for payment by instalments of £100 per quarter. Four instalments were paid—the last before the time for payment. Then came bankruptcy, and the other creditors got no dividend. Second, an order was obtained to pay a debt of under £4 followed by a committal order. Bankruptcy proceedings followed. Ability to pay was proved, for the debtor lodged more than £50 in Court. It was lodged, however, for the purpose of paying a composition of two shillings in the pound, which the creditors accepted in preference to a realisation of the estate. These instances may suffice to show the wide difference between ability to pay one debt and ability to pay all debts. When a man gets into difficulties there is often a rush among the creditors to try who will first get hold of his property. The law to a certain extent—but only to a limited extent—favours the first-comer. But can the debtor be expected to recognise this kind of merit—the merit of having caused his failure, when he was hoping to tide over his difficulties if his creditors would show a little consideration? And perhaps the debt is a loan at cent. per cent. or the price of goods sold at a similar rate of profit.

Besides the mistake of stating that debtors associated with criminals instead of stating that they are confined (for the most part) in the same prisons and treated in the same manner as criminals, I have been accused of error in stating, "The creditor has only to make out a *prima facie* case that the debt (or part of it) can be recovered by the threat of imprisonment and the order will usually go." The word "usually" is perhaps erroneous. Indeed I doubt if there is any practice on the subject which can be called usual. But undoubtedly the order might go in all such cases in accordance with the reported decisions and expressed opinions of some of the highest legal authorities in the land, as I think I have already shown. And of course when stating that the debtor was not "*required*" to be present when his sentence was pronounced, I only meant that his presence was not *necessary* for the purpose, and sentence has I believe been passed in more than one instance when he was unable to leave a sickbed. But the Court was no doubt satisfied that he was "*required*" to be



present by serving him with a summons in the prescribed manner requiring his attendance.

One remark more may be made as to the application of the cellular system to debtors. Why was the cellular system introduced into our prisons? Mr. Tallack and the Howard Association have repeated the reason *ad nauseam*—to cut off evil communications and prevent the mutual contamination which has invariably resulted from the association of criminals with each other. Could there then be a stronger proof that we are treating debtors as criminals than the fact that we apply this cellular system to them? We do not indeed regard them as criminals. The Statute proves the contrary. But we *treat* them as criminals, because we believe that by so doing we shall have a better chance of screwing the money out of somebody and thus paying the creditor.

With these remarks I close my case against imprisonment under Part I. of the Debtors Act of 1869. I hold that such imprisonment ought to be wholly abolished. With any other imprisonment for non-payment of money I did not intend to deal.

## APPELLANT.

Banks derive much of their profits from lending money at interest, and they are for the most part in a very prosperous condition. Yet I do not think I ever heard of a bank sending one of its customers to prison under the provisions of the Debtors' Act. Why? Because banks as a rule avoid giving credit recklessly. They obtain mortgages on the debtor's property. They require him to get some one else to join in his bills or promissory notes, to guarantee his account or to deposit some security for it. And when notwithstanding all these precautions the debt becomes too large, they refuse to give further credit. They sometimes lose money. Every one who habitually gives credit does so; and the imprisoning creditor sometimes loses his costs in addition to his debt. But, on the whole, banks find their business a paying one for the simple reason that they take reasonable precautions before allowing an account to be overdrawn to any considerable extent. Is there any reason why this course should not be adopted more generally—why before lending money or selling goods on credit some steps should not be taken to ascertain the honesty and solvency of the debtor, or if these are doubtful to require him to obtain security? As to very small sums, the creditor can always afford the loss, provided that he does not throw good money after bad in trying to recover them.



But there is a certain class of creditors who are anxious to have a man sent to prison as a warning to their other debtors, and (provided that the debt was a small one) would probably feel disappointed if he succeeded in paying it without being confined. Their position is somewhat like that of the Railway Companies who put up glaring placards as to the punishments inflicted on some obscure personages for violating the by-laws; and even the N.S.P.C.C. is not above advertising the sentences passed at its instance on delinquents, as if the success of the Society consisted in the severity of the punishments thus inflicted. Judges and Magistrates should be careful about passing sentences which will set the advertiser in motion, even if his cause be a good one.

# HUMANITARIAN LEAGUE.

Hon. Sec.: HENRY S. SALT.

53, CHANCERY LANE, LONDON.

*The Humanitarian League has been established on the basis of an intelligible and consistent principle of humaneness—that it is iniquitous to inflict suffering, directly or indirectly, on any sentient being, except when self-defence or absolute necessity can be justly pleaded.*

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# THE HUMANE REVIEW.

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## THE SECOND SLAVERY.

“Remember, Lord, the years of faith,  
The spirits humbly brave,  
The strength that died defying death,  
The love that loved the slave.”

YEAR after year, day after day, come the stories of the second slavery of the negro in the Southern States of America, until with aching hearts we wonder if there is any depth of savagery of which the white man is not guilty. The North is growing restless under the tale, wondering if indeed she spent her blood in vain for her black brother, and in the columns of the *Atlantic Monthly*—a Boston review—serious articles on the subject are constantly appearing. Also, the Society of Friends, commonly called Quakers, have, both in England and in America, appointed committees in the last few months to deal with the subject; and there is more hope from their cautious peaceful strength than from any other religious body.

Look at the story of the lynching first; the Rev. Charles F. Aked, of Liverpool, gives the figures as follows:—

“In 1893 there were 200 lynchings in the United States. In 1894 there were 190. They continued to decrease as follows: 1895, 171;

T

1896, 131; 1897, 166; 1898, 127; 1899, 107. But now they are increasing again. In 1900 there were 115; in 1901, 135. A vast proportion of the people in the United States do honestly believe that men are only lynched for outrages upon women, and they spread that story when they come over here. The alleged reasons for the lynchings in the entire record of 1901 tell a different story. Here is the analysis: Murder, 39; criminal assault, 19; theft, 13; murderous assault, 9; attempted criminal assault, 9; cattle and horse stealing, 7; complicity in murder, 6; quarrel over profit-sharing, 5; arson, 4; suspected murder, 3; suspected criminal assault, 1; train wrecking, 1; keeping a gambling house, 1; killing cattle, 1; resisting arrest, 1; insulting a white woman, 1; burglary, 1; forcing a white boy to commit crime, 1; 'race prejudice' (I am unable to find any other reason alleged), 9; mistaken identity, 1; and for the remaining three I am without information as to even the alleged reason. There were 107 negroes, 26 whites, 1 Indian, and 1 Chinaman. Last year Tennessee lynched a woman, and Mississippi lynched two. This year South Carolina has lynched a boy of thirteen. Since lynching him, it has discovered that he was quite innocent."

The lynchings are always reported in the local press, and the railways generally run special trains for the entertainment, and thousands of men, women, and boys attend. Occasionally the press ventures to remonstrate, but as a rule it approves. A negro named Knowles, who was understood to have committed robbery and murder, was burned at Winchester (Tenn.), in August, 1901. The *Nashville Banner* of the day following says:—

"The Assistant Attorney-General promised the mob to convene the grand jury, indict the negro, and have him speedily tried, but his conviction and legal execution was a foregone conclusion. The crowd of thousands carried him to the scene of his crime twelve miles away, where he was chained to a tree and burned. The body was left upon the coals, but the chain was cut up and carried away by souvenir-hunters."

The *Knoxville (Tenn.) Journal and Tribune* described the awful scene, and in an editorial of August 29th says:—

"Many of those who were present on that terrible Sabbath afternoon participating in that terrible event, or consenting to it, are Bible readers and church members. It seems to be time and labour lost to try to keep the country from relapsing into barbarism. Every man who participated in this awful, revolting savagery degraded himself and proved himself a dangerous member of the community."



In each State where these burnings occurred the penalty for the crime the negroes had committed, or were believed to have committed, is death, when the law is allowed to take its course.

Now Prof. Charles Foster Smith, of the Vanderbilt University, writing about "The Negro in Nashville" in the *Century Magazine* for May, 1891, says:—

"It has doubtless been very fortunate for the negroes in Nashville that they have been in a decided minority, so that they have given less attention to politics than they might otherwise have done. Nashville is a city of schools and colleges and churches, of considerable culture and decided liberality of thought."

(Note that the liberality and culture would probably not have stood the strain of the negro voter.) Then he goes on to describe the negro and the work of their three universities in Nashville, taking the Fisk as an example:—

"The catalogue of Fisk University informs us where its graduates are and what they are doing. Of 62 college graduates 38 (or 61 per cent.) are teachers; 8 (or 13 per cent.) are preachers: of 48 normal graduates 32 (or 66 per cent.) are teachers; 8 of the remainder are wives, leaving only 8 (or 17 per cent.) for other occupations. Doubtless the great majority of all that study in any department become teachers at present.

"Does this education lift up the negroes, as it usually does the rest of humanity? I visited lately, with the city superintendent, a negro school the average attendance of which is nearly 800, in 'Black Bottom,' the very heart of the worst quarter of the city, and I saw there hundreds of negro children—very many of whom came from environments hostile to all that is good and elevating—with clean faces, for the most part neatly dressed, orderly in behaviour, studious and attentive—in conduct equal to any school I ever saw."

These are the people who are lynched by lawless mobs of whites. And then it is worth while to note that it was from the North that the burden of good work was done:—

"Just here I wish to say that Nashville has been blessed in the character of the Northern men and women who have come to teach in these negro colleges. They have come in the truest missionary spirit; have patiently submitted to a kind of social ostracism; have endeavoured to cultivate in the negro only such qualities as make for peace, patience, honesty, and good citizenship. They have 'respect

unto the recompense of the reward,' but do not expect it here. They possess their souls in patience."

The question is, will the North be patient much longer, when it sees that it has given its blood and its brains alike in vain, and that the awful race-hatred and brutality of the Southern is making the efforts of war and peace alike useless.

I do not know what has become of Prof. Smith, but Prof. Andrew Sledd, of Emory, Georgia (a college for whites), having written an article which made for two points: (1) the inferiority of the negro race; (2) the lawlessness of lynching, had last October to resign his chair, so bitter was his white committee because he had stated that the negro was a human being and entitled to the protection of the law. And yet Prof. Sledd is a Virginian born and bred, had only lived out of the South for a few years while at the Northern Universities, and had rather under-stated than over-stated the case. But it is not only a question of lynching; the negro is in every way an outlaw. The American Constitution says that all men are born free and equal—it is the old truth of the Stoics—" *Omnes homines natura æquales sunt* "—but the Southern white knows better. He will not allow the negro to vote; he makes the negro put his ballot paper in a different box, and the contents of that box are never counted; or he makes an educational test, and the examiner is a white man, and all the white men pass and not a single black man, though some of the whites cannot write and some of the blacks are university graduates. In New Orleans in 1901 the death rate among negroes was 34.44 per thousand, and among whites 20.56: because the sanitary law is never enforced in houses rented to blacks—the landlord can leave his black tenants without water or light or sanitary convenience, and the law of the city will never interfere. In 1900, New Orleans dropped all the grammar school grades of its negro schools, because it got a jealous attack of fear of the educated black, and now there are in New Orleans 94,586 children of school age, of which 25,282 are negroes; but there are only 5,032 negroes

in the schools. Again, the black woman is defenceless against the white man, the law is useless in such cases; as Burghardt du Bois wrote in the *Atlantic Monthly* for September last:—"The rape which you gentlemen have done against helpless black women, in defiance of your own laws, is written on the foreheads of two millions of mulattoes, and written in ineffaceable blood."

And if the Northern men and women, and the law-abiders all over the earth are getting a little restive with the law-breaking lynchers of the South, are not these humble negro-victims beginning also to think and protest? They are one generation from the old slavery, they are struggling hard to work out their own salvation; they are very human, and it is only too possible that some day the last straw will be too much for their long patience, and the old spirit of retaliation will arise in them. Remember there are 1,300 coloured students in Booker Washington's College at Tuskegee; there are about 2,000 negroes who have gone forth with the Bachelor's Degree from coloured colleges, and there are about 400 negroes, many described as brilliant scholars, who have taken the degrees of Harvard, Yale, and the leading colleges of the whites. Fifty-three per cent. of these graduates are teachers, 17 per cent. are ministers, 17 per cent. are doctors, and so on.

A correspondent, writing from Jamaica, and specially well qualified to judge, gives his impressions of the negro as a citizen thus:—

"Here in Jamaica we do not make any distinction between black and white, and certainly get on much more comfortably than they do in the United States. But negroes vary as between different colonies in the West Indies, and no doubt the Jamaica negro varies somewhat from him of the U.S.A. I have had to do with them in a number of the Indian Colonies, where I have stayed for longer or shorter periods during the last twelve years.

"You ask my impressions on the text of the representation that 'they are but children, are incapable of self-control, incapable of governing, incapable of learning, and so on.'



"Well, if they are all this, it would not prove very much in justification of the Southern States methods in regard to them. It might be said of the bulk of the proletariat of a good many Caucasian countries. Every society has its own necessity, however.

"To begin with superficial characteristics of the West India negro, and especially the Jamaica negro, as I know him. His manner and his general public behaviour and conduct are much better than those of the wage-earning class in most European countries, very markedly better, it follows, than those of his class in Great Britain. Does this count for anything, or is it only skin deep—an artificial veneer over savagery? It is not artificial, it is a real endowment of valuable human quality, and it goes with an amenity of disposition and a quickness and accuracy of perception, and of judgment of character, that are of the essence of tact and courtesy and are a form or ingredient of wisdom. He has not been sophisticated and civilised yet into boorishness; but of course, on the other hand, when he thinks of himself and puts himself on his dignity, an impudent nigger will beat most for impudence.

"The next salient superficial characteristic, distinguishing him from other proletariats, is his behaviour in the wage labour market, and in his own industrial avocations. You will follow when I observe that the capitalist nations have evolved their own industrial moral code.

"The habitual, and quite conscientious conviction in the minds of the middle class tourists and journalists who visit us, and report on us, is that it is vicious for any black man or white man, not a capitalist, not to be eager to ask for a capitalist employer; and further, if good reason *can* be brought home to them for his not working for a capitalist (*e.g.*, that said capitalist is a Boer farmer), that it is vicious for him not to be eager to work for himself; and consequently, if they find (as they do) that employers cannot get labour; and if they do not see (as they do not) that the negro works for himself; and further if they see him, as they do, palpably loafing and snoozing in the sun, they are convinced with a strange conviction, that he is a worthless animal, congenitally outcast from true humanity.

"None of said things, I am free to confess to you, bring the same conviction to me. But you may take it that the negro is totally unprincipled from the standpoint of industrial

morality; he is simply devoid of that mechanical conscience towards an employer that has been developed in the advanced proletariats, and which, I need hardly say, is the great safeguard of all European societies, and the great stumbling block of all social reform.

"You may say, therefore, that he is a child in this relation, but the real trouble is that he is *malin* and over suspicious. I think he is mistaken not to work more for wages than he does. I can see that he over-reaches himself in his clevernesses and in his caution. The fact is he has very little knowledge of the money value of tasks and is too much afraid of being taken advantage of, and that his employer is going to make a good thing out of him. But unquestionably he has been taken advantage of; and I am not disposed to condemn him for leaning towards what he conceives to be independence. He is certainly out of touch with industrial civilisation in this regard, and irritating to the civilised-minded person accordingly.

"To say that he is incapable of control is nonsense; but you can very easily make him uncontrollable; which is quite a different matter.

"Is he capable of virtue? What sort? Of some he has plenty: of others more or less—he is in some relationships more honest than his Caucasian peers; in others he is devoid of their conventions and steals religiously. He and she do not appear to regard the satisfaction of amatory impulse and the civil institution of marriage as having any necessary mutual relevance or inter-dependence. There are temperamental harlots of both sexes among them of course, though by no means a higher proportion than among other races, but generally speaking they are infinitely more moral (because devoid of the mechanical and artificial lecherousness of the city Caucasian) than the populations of the countries that censure them. They may have a great deal to learn, but they have not learnt the filth that we are born into.

"Are they capable of governing? No. Not a bit more than the average English or Irish voter.

"They are certainly very lacking in stability of judgment and opinion. Capable of learning? Most certainly: but not necessarily of learning the things we offer to teach them. Their brains and understanding are different from the brains and understanding of the Caucasians, and only a very clever

mulatto could trace you out the difference: and he would rather die than do so. They have, in some respects, *more* of what is essential to the human than we have. And they imagine that the converse is the case, in regard to many qualities in which they are very weak; and this is why they are 'capable of control.' You could never control them entirely, or in all circumstances (unless you are a transcendent genius), because some parts of their nature are physically out of your range, and this is why I conceive they have a future.

"Booker Washington is a coloured man (a mulatto, I believe), not a negro. There can be no question that the coloured man is more likely to be capable than the unmixed black, and yet one cannot desire his multiplication, and the direct infusion of white blood is diminishing and likely to become insignificant. The religious category is a problem in connection with him. The formula that the black man has a soul like the white man's is so far adequate that it is by accepting and acting upon it that the white man gets into most real touch with, and influence over, the black man; and working on that formula he does not at all doubt his equality or his humanity, or speculate whether the Southern States view of the negro may not be divinely appointed. But Christianity for the negro (and the rankest evangelicalism is the only brand for him) is not the destined good. He absorbs it indeed, and it works to a certain extent in keeping him decent, though not at all effectual over his thieving or his love affairs. It is not the religion or superstition, or idealism, that is going to make him grow and develop, if he ever is to grow and develop. At the same time the parsons in an island like this are so much the only class that approach getting into touch with the negro, are the only real handle to him, that I am quite a friend and supporter of the parsons. Such as the schools are, they run all the schools."

A thousand thanks are due to my informant for this lengthy and lucid reply to a request for his view of the negro question. There can be no doubt that it adds to the study of the subject on calm and rational lines. It will be of use to the many societies and committees which during the coming year are going to make a determined opposition to the second slavery.



The strange thing is the number of appeals sent out to spare the feelings of the Southern whites by not mentioning the blacks, or, if one must enter a protest, to let it be against lynching only and to carefully point out that sometimes Indians and Chinese are lynched. In fact we are told that all reference to the race problem merely fans the race hatred of the white for the black. Well, if it is so, the sooner the educated whites of the South can be got to see how illogical and unreasonable, how purely a matter of passion, is the present state of affairs, the better. Personally I abhor the Laodicean, and with a vivid memory of some of the black babies in the American hospitals—and some of the black nurses—I here and now declare myself a firm believer in what a writer in the *Fortnightly Review* called a menace to civilisation—"the negrophilist black-man-and-brother theory."

From Liberia and Hayti I have received letters as interesting as that from Jamaica, and pointing out that the negro where fairly treated is an excellent citizen; but there is no room to print them here. Surely the foregoing facts are sufficient to warrant those who care to move in the matter in passing resolutions and sending them to President Roosevelt and to the Governors of the different Southern States.

And just one word of warning in conclusion; we must watch carefully that in South Africa we do not fall into the same evils that afflict our Brother Jonathan.

HONNOR MORTEN.

## HUMANITARIANISM TRUE AND FALSE.

I AM a person of an almost excessive tendency to moderation. I am quite prepared, as a matter of fact, to defend moderation, a thing which it requires in these days some audacity to do. The Ibis is always safest in the middle. I am that Ibis. But as a matter of fact the Latin motto is rather unfortunate, for if there is one thing which the moderate man is not, it is safe. Of all the dangerous trades for which humanitarianism seeks the protection of the State, we all know that the most dangerous trade in the world is that of peace-maker.

But before I enter upon a defence of moderation in the true sense of the word, I may be permitted to make a few remarks about the painful parody of moderation which is very current in English affairs. The English idea of moderation, as it is exhibited for instance in leading articles upon some such subject as the South African War, seems to me one of the most extraordinary things that ever existed in the world. The English idea of moderation seems to be that we should be vague in our ideas but violent in our language. We are forbidden by a hundred laws of party necessity and decorum from saying in a clear and dogmatic way what we ourselves think; we are by way of compensation permitted to say anything however silly and indecent about people who think otherwise. It is considered impossible in practical politics for a man to stand up and say that he thinks the

annexation of the Transvaal (let us say) bad by an unalterable principle, but he may say that all the politicians who support it are either seeking office or taking drugs. He may not say what is true, that he himself has a principle involved, but he may say what is not true, that his opponents have no principles at all. The Radical journalist is forbidden to say that he personally hates Imperialism. So he consoles himself with saying that Mr. Chamberlain wears very vulgar clothes. He has to be personal in the sense of being rude, because he is not allowed to be personal in the sense of being genuine.

Now real moderation is a very different thing. The current belief is that moderation has something frigid about it, that it is a cold and dehumanised thing. As a matter of fact moderation is by its nature a warm and ardent thing. It is the result of feeling strongly. For if we feel strongly we must tend to feel strongly for good men and bad men, right causes and wrong causes, the more defensible and the less defensible position. It is easy enough for a man to be a headlong partisan, to foam at the mouth, to beat the drums, to call down fire from Heaven, upon one condition—that he has not strong feelings. Feelings would make him a little grateful to the kindly old compromises which have kept the world going for so long. Feelings would make him a little compassionate to the treasures of deluded valour which were being swept away by his victorious monomania—feelings would make him a little reverent about the riddle of human failure and success. But the bad humanitarian (who does exist, and is like the bad Christian, very horrid indeed) is the man who can contrive to perpetuate in himself a kind of cold anger, an anger of the intellect against certain fashions or facts, or institutions, and who can keep his basilisk eye fixed upon them because he is one who can never be distracted by the bewildering phases and nameless agonies of the million souls of men. The objection to the real humanitarian (if there be any objection to him) may be that he is too emotional or confident or reckless. But the objection to the humanitarian of whom I was speaking



primarily is simply the objection that of all the sons of Adam he is the most inhumane.

Let us suppose for instance that in some far-off barbarous country a man wished to shoot a partridge for fun. It is quite easy to take a violent view of such an incident, so long as the man who takes it has the good fortune to be naturally unsympathetic. It is quite easy to say that a man who could deliberately take a scientific iron instrument which spits out lead, to knock the life out of a poor little feathered object a foot long, must be a mysterious fiend with a heart of nether millstone. Logically, indeed, to all appearance he must be, and a silly old fool into the bargain, for the act when seen clearly and from the outside is about as mean-spirited and babyish a thing as the imagination can conceive.

But to the man who wishes to take this view of the partridge-shooter there is one thing necessary, that he should not know any partridge-shooters. If he does know any, he is at once disturbed by an inrush of sympathy. His feelings mutiny, and he is driven on the points of their spears, desperately struggling, into the accursed regions of moderation. These men are manifestly not in themselves fiends, and more wonderful still they are not even fools, and no more good can come of saying they are than of saying that fire is cool or that the Irish love the Act of Union. It is easy, that is to say, to take the part of the partridge ruthlessly and to maintain that all who approve of shooting it are murderers, Apollyons, enemies of life. And so in exactly the same way it is possible to take the part of the man ruthlessly, and say that all people who condemn his action are kill-joys, misanthropes, enemies of life.

The opponents of humanitarianism do actually say that the humanitarian is this moral outlaw, this *casus lupinum*. They do actually say that the humanitarian is a kind of effeminate Puritan, that he cannot comprehend the energy and good humour of the give-and-take of life. It is easy enough for a man to say this, but here again there is a condition, that he should never have met any humanitarians. If such a man should stray for a moment into a meeting of

the Humanitarian League, as I did on an occasion not unconnected with this paper, he would be disturbed to find a great many people there who looked quite as jolly as if they were killing things all day long. And from their deliberations he might learn that many of these people were actually interested in the partridge and thought it prettier and much more amusing without any part of its anatomy smashed up. In other words sympathy is undoubtedly a very dangerous thing, both to sportsmen and humanitarians.

But the true humanitarian (the member of "The Battersea League for the Encouragement of Things in General," which I hope to found) will have no foundation, and will be content with none, except this real and universal and most disturbing sympathy, which comes from touching life at many points. His social hospitality resents the exclusiveness which shuts out either the partridge or the man. The man is quite as silly as the partridge and quite as little aware of what he is doing or why he is doing it, and if the partridge could shoot the man he certainly would.

Now, I am perfectly well aware that there comes in here the obvious reply to all this. It is that nothing would ever be done for the oppressed and tortured children of the earth if we attempted to be on both sides of every question. And of course these rambling remarks are not intended as anything so impertinent as a criticism upon the actual legal and controversial methods of the Humanitarian League. I say nothing about these, first because I feel a profound, an even abject, reverence for them, and secondly because I know nothing about them. This article is intended to point out some of the moral dangers in the moral attitude of the humanitarian; not to suggest that they should alter any particular line of action in connection with any particular grievance.

It is quite evident that there must be a great difference between the practical sympathy extended to one party and to another. We preach to the man (to continue my original parable) firstly because, whatever may be the desires of the two parties, he does actually shoot, and secondly because he is a moral and intelligent being, though he does not always look

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we do not preach to the partridge, first, because he has not yet committed any overt crime, and secondly because any sermon we might preach to him would be received with a degree of inattention verging upon languor. It is quite easy to see, in short, that in practice we must be partisans.

But I think we shall be making a very real mistake if we suppose that it does not matter whether we are what I may call partisan humanitarians, or what I may call universal humanitarians. It is exactly that point which will decide whether we are a part of a great elemental movement, having in it something of the greatness of a new religion, or whether we are a knot of intransigent pessimists, having nothing in our lives but the miserable pleasure of logic.

G. K. CHESTERTON.



## THE LAW OF MOSES.

THE Law of Moses is one of the great strongholds of the barbarity-mongers who appeal to it constantly in support both of their principles of punishment, and of the actual punishments which they advocate. These persons either prefer Judaism to Christianity, or entirely overlook the manner in which the Mosaic law was altered by Christ. Others, however, in their zeal for Christianity, have, I think, unduly depreciated the Mosaic code; and it therefore becomes desirable to consider briefly what the Mosaic Law—or rather the Mosaic Criminal Law with which we are chiefly concerned—really was. I may at the outset call attention to the impossibility of laying down any criminal code which will prove suitable to every age and every country. It might be anticipated that the criminal code which was the best for the Israelites in the days of Moses would not be the best for Englishmen in the twentieth century. Nor, in fact, does any one seek to impose the Mosaic code on us in its entirety. Those who rely upon it to justify the death-penalty for breaches of the sixth commandment, refuse to adopt it when it imposes the same penalty for breaches of the seventh. The Mosaic law can never be revived in the letter, and I hope to show that even in the spirit it differs widely from the theories of the present anti-humanitarians.

I need not enter into the controversy as to the authorship of the Pentateuch. If we reject the Pentateuch in whole or

in part we have nothing better to put in its place. The Mosaic law may have been corrupted by tradition before it was committed to writing, or the original writings may have been lost ; but if so we have (I apprehend) no means of reconstructing the original and eliminating the matter subsequently added. We must take it as we find it, without attempting any conjectural reconstruction.

In order to form an estimate of the Mosaic law we must consider the position of Moses and of the Israelites at the time. The Israelites first became a nation under Moses. They had for a considerable time previously been ruled by the Egyptians, and were subject, we may presume, to the Egyptian laws. They never previously had a native ruler or laws of their own. And Moses was no conqueror of the ordinary type. He aimed at, and partially accomplished during his life, the extermination of the Canaanites and the establishment of the Israelites in their stead. But when he had once conquered enough to supply his followers with a sufficient extent of fertile territory, he had no wish to pursue his conquests further. He did not desire to reign over Gentile subjects. His laws were meant for the Israelites and the Israelites alone. He did not seek to impose them on anyone else. Some of the Gentiles were to be exterminated in order to provide a suitable location for his followers. With the others he did not concern himself.

Though the Israelites had no nationality and no laws of their own before the time of Moses, they seem to have had a special religion. Whether they were Monotheists or merely regarded Jehovah as their own special tutelary deity may perhaps be doubted. At all events they had no religious organisation or, as we should now say, no church. The narrative affords no previous indication of religious services at fixed periods and of a specified character, or of any organised body of priests or religious teachers. People thus situated were very likely to be influenced by the Polytheism which prevailed around them and to place the Egyptian gods and the gods of other countries on the same level with Jehovah. The great task of Moses

was to organise this Israelitish religion and to differentiate it from all others. He founded an Israelitish church. He supplied it with priests, and instituted religious services at stated periods, defining with great minuteness how all these services were to be conducted. The patriarchs appear to have ascribed moral perfections to their deity, but Moses now took the further step of promulgating moral laws as divine commands. Hence the current division of the Mosaic law into the moral law and the ceremonial law.\*

This division, however, is inadequate. Moses was a civil, as well as a religious, ruler. He promulgated a civil and a criminal law as well as a moral and a ceremonial law; and it is with his criminal law that I am now concerned. But under the peculiar circumstances—Moses being at once the first civil governor of the Israelites and the prophet whose teachings first gave to their religion a definite shape—it is not surprising to find the moral, ceremonial, civil and criminal law mixed up in a way that in these days would be regarded as confusing. But Mr. Gladstone's views on the subject of Church and State were not very widely different from those of Moses. And Moses in one respect gave the same character to his religion as to his secular policy. It did not aim at becoming universal. "Go ye into all the world and preach the law to every creature," was a thought that never occurred to Moses. His State consisted solely of Israelites, and his church was inseparable from his State. If outsiders wished to join either, he might not have rejected them, but his conquests and intended conquests were confined within narrow limits, and so was his religion. Indeed the Jews have never been active proselytisers. Moses did not seek to found either an universal religion or an universal empire. But he succeeded marvellously in what he aimed at—converting those who had never previously formed a nation into a nation which would

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\* Much of what is commonly referred to the ceremonial law of Moses consisted of a system of sanitary regulations for securing wholesome food and preventing the spread of infectious or contagious diseases.



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continue to be such even when scattered over the face of the earth, and founding a religion which would continue to be the religion of *that* nation (though of no other) for thousands of years. I am not called upon to say anything as to the divine mission of Moses, but he seems to have claimed divine authority for every part of his law; and a defence of his criminal law may therefore be acceptable to those who accept that claim.

The distinction between the moral law and the criminal law of Moses has hitherto met with scant recognition, but it is sufficiently obvious. Thou shalt not kill, thou shalt not steal, thou shalt not covet, were equally parts of the moral law; but the moral law assigned no punishment to those who disobeyed these precepts. The criminal law on the other hand treated murder as a capital offence and theft as an offence not capital, while covetousness was not regarded as a crime and involved no punishment. It was in the same position as adultery in this country—a recognised violation of the moral law, but not a violation of the criminal law—a sin but not a crime. But while the criminal law is thus to be distinguished from the moral law, we have to consider the spirit as well as the letter of the Mosaic legislation. The question whether the principles laid down by Moses in his moral code are humanitarian or anti-humanitarian cannot be passed over, for these were the principles on which he intended his criminal law to be administered; and, as already intimated, the moral law and the criminal law are often blended together in the text. And while it is impossible to frame a criminal code which will be the best for every country at all times, it seems possible to lay down principles of universal application.

What then were the acts which Moses regarded as criminal? And what were the punishments which he attached to them? In answer to the first question, from the connection between the Israelitish Church and State already referred to, it is not surprising to find that Moses treated offences against religion by Israelites as crimes, and prescribed punishments for them accordingly. But if we

compare the Mosaic code in this respect with the proceedings not merely of the Holy Inquisition but of many Protestant countries until a recent date, we can hardly fail to be struck by the greater humanity of the Jewish legislator. His crimes against religion were not such trivialities as those which have often been punished by Christians, and confessions were not dragged from the accused by questioning and torture. And except such religious offences, Moses punished few, if any, acts that would not still be regarded as immoral; while as we have seen there were immoral acts which he did not consider crimes and did not punish accordingly. His list of crimes other than religious offences is much shorter than our own. His moral rules are far-reaching and embrace almost all human duties—for they extend far beyond the ten commandments, which seem to have been only intended to give special prominence to a few of his leading principles. For example, bearing false witness in favour of one's neighbour (at least at a criminal trial) is rightly regarded not merely as a sin but as a crime; but the ninth commandment only mentions bearing false witness *against* him.

I now turn to the punishments of the Mosaic code. There is, it will be observed at the outset, no torture. Moses seems to have held that anything more than simple death was cruelty. He may not have always adopted the most painless mode of putting a man to death, but no one can allege that he aimed at giving pain in carrying out the death penalty. There is no crucifixion, no breaking on the wheel, no flogging to death;\* and the carrying out of the death sentence is not preceded by the infliction of other punishment on the offender. In this respect the Mosaic code would compare favourably with the criminal codes of Christian countries up to quite a recent period. Undoubtedly the death-penalty is to be found in the law of Moses, and the advocates of the total abolition of capital punishment can hardly quote Moses in support of their contention. But the most suitable punish-

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\* In a few cases where Moses regarded the crime as very heinous the criminal was to be burned, but possibly this only referred to the disposal of the body after death.

ments for crimes will be different in different countries and at different times, and it is by no means improbable that if Moses were alive and legislating for England at the present day, capital punishment would find no place in his code. At all events his capital offences were fewer in number than those in our English criminal code as late as the year 1836.

Was there mutilation in the law of Moses? Not unless the criminal had mutilated another person; but even then it may be doubted whether he intended to enjoin it. The question turns upon whether the language which Moses on three occasions employs is to be understood as a law providing that certain penalties shall be inflicted for certain offences, or merely as expressing a general principle on which his legislation proceeded. This latter theory seems to me to be the correct one; for first, the context deals with some special offence and leads us rather to expect a statement of the principle on which that offence is dealt with than a wide measure of criminal legislation. And secondly, the terms in which the principle is laid down are different on different occasions. In Exodus they are "life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burning for burning, wound for wound, stripe for stripe." But in Leviticus and Deuteronomy the last three clauses or examples are omitted and the latter passage seems intended to explain an enactment which does not afford a literal exemplification of the principle, viz., that a false witness should receive the punishment which he sought (though unsuccessfully) to bring upon another. And that Christ so understood the words seems certain. For He disclaimed all temporal authority and would not have disputed the Law of Moses where it was the law of the land; but treating the *lex talionis* not as a law, but as a principle of legislation—a principle on which the criminal law ought to be based—He expressed his dissent from it and laid down a principle of an opposite character. But when introduced it had probably a humanitarian tendency. It prohibited excessive punishments. The injury inflicted, or intended to be inflicted, was to be the

measure of the punishment, and any further punishment than this was prohibited by the Israelitish legislator. Even still those who appeal to the *lex talionis* often seek to exceed the Mosaic limit of equal suffering on the part of the injured and the injurer; while the principle in its modern guise of "fitting the punishment to the offence" is still often invoked on the humanitarian side in order to show the excessive character of some of the punishments inflicted by our legal tribunals. In any event however I do not think that cutting off the hands or feet or plucking out the eyes found any place in the Mosaic Criminal Code (save in one special instance). Moses was illustrating a principle rather than framing a criminal statute; and with regard to this principle Moses did not introduce it for the purpose of giving free scope to the natural impulse of revenge. He expressly says the contrary. "Thou shalt not take vengeance nor bear any grudge against the children of thy people, but shalt love thy neighbour as thyself." (Lev. xix., 18.) What more could any humanitarian say?

Stripes—flogging—was another punishment recognised by the Law of Moses, but with restrictions which modern advocates of the cat have not attended to. Forty stripes was the largest number admissible; and the Jews held that this number of stripes could not be increased by the expedient of adding tails to the whip. They usually employed a whip of three cords, the number of strokes being limited to thirteen, which made up the well-known "forty stripes save one." Had a cat-o'-nine-tails been used, only four strokes could have been inflicted under the Mosaic law. And Moses's reason for limiting the number of strokes is worth noticing, "lest thy brother appear vile unto thee." Is not flogging often inflicted at the present day in order that thy brother—though the self-righteous vindictivist would refuse him the name—should appear vile unto thee and to all men? He is a brute, we are told, whom no punishment could degrade. He appears so vile to us that nothing could make him appear viler. Such a doctrine as this is as opposed to the teaching of Moses as to the teaching



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of Christ. The criminal, at least if an Israelite, was a brother—a neighbour whom we were bound to love as we loved ourselves. If we put him to death, we were only to do so in fulfilment of a divine command. If we flogged him we were to do so with moderation, and to stop when the further continuance of the punishment would be deemed degrading ; and Moses never sanctioned two or more floggings for the same offence. There is no whipping of youthful offenders in the Law of Moses. Its advocates have to start with Solomon, who was giving advice to parents instead of enacting a law (which as a King he could have done if he thought it desirable).

Another punishment in the Mosaic Criminal Law was a fine—imposed for the benefit, not of the State, but of the injured party. This was Moses's usual punishment for the wrongful taking of property. To compel a man to restore what he has wrongfully taken is not a punishment. It leaves both parties in the same position as before, the wrong-doer being nothing the worse for his wrong. Restitution belongs to the civil rather than the criminal law, and is rightly so regarded in our English legislation. But Moses imposed a fine in the shape of multiple restitution—restoring what had been taken five-fold, four-fold, or two-fold, or with one-fifth added. This multiple restitution was a fine—a penalty ; but it does not appear to have been enforceable by corporal punishment or by imprisonment (for there is no imprisonment in the criminal law of Moses). If the provisions for giving slaves their liberty in case of certain kinds of ill-treatment are to be regarded as forming part of the criminal law of Moses, we may also refer them to the head of fines ; but perhaps they should rather be regarded as belonging to the civil law. Up to the abolition of slavery in our own dominions and in the United States of America, the adoption of the Mosaic code in these countries would have conferred an enormous boon on the slaves. And Moses had no punishment for non-payment of debts. No pledge was to be taken from a brother Israelite except for a very limited period. Usury was prohibited, and all scores were to be

cleared off periodically. Even humanitarians may perhaps be inclined to think that as regards the enforcement of debts Moses was too lenient. It was only the thief who could be sold into slavery if unable to make the restitution which the law required, and if he were an Israelite the slavery would be of short duration.

There was no imprisonment in the criminal law of Moses. Why? In the first place, no doubt, because Moses had no prisons. He promulgated his law in the Wilderness, where his followers lived in tents and constantly moved from place to place. And, of course, there were likewise no penal colonies or settlements. Transportation could only exist in the shape of banishment, and penal servitude in the shape of reducing the offender to slavery. But other reasons may be adverted to. In a country which had not advanced beyond the then condition of the Israelites, prisons would undoubtedly have been conducted in a very objectionable manner. Where would the food and clothing come from, and who would attend to the sanitary arrangements and provide for the separation of the sexes and the maintenance of order and discipline? Prisons in those days seem to have been used almost exclusively for safe custody until trial or sentence, which was usually not long delayed. There is no instance, I think, in the Bible of any person having been sentenced to a term of imprisonment as a punishment for a crime. And a similar remark held good until a comparatively recent period. In this country as late as the outbreak of the War of American Independence, the ordinary punishments seem to have transportation, death and whipping, imprisonment only holding the fourth place. And the condition in which John Howard found the prisons of Europe at this period shows what an objectionable punishment imprisonment then was. But in civilised countries the conditions of prisons (though still susceptible of improvement) are now such as to admit of the free use of imprisonment as a punishment; and though imprisonment finds no place in the criminal law of Moses, he has not prohibited it or objected to it on principle. There is no reason to think that he would not have approved

of it if the then circumstances of the Israelites were like the present circumstances of the people of England.

Another provision of the Mosaic code is not to be forgotten. No crime could be proved by the testimony of a single witness. Plainly the Jewish legislator thought it better that several guilty persons should escape than that one innocent person should suffer. And it has been already noted that he did not permit the evidence of the single witness to be supplemented by extorting a confession from the accused.

It may be added that in some cases at least the object of the Mosaic law was rather to control and regulate practices which he found in existence than to inculcate these practices. Slavery among the Israelites did not originate with him. What he did was to try to improve the condition of the slave and to limit the time during which an Israelite could be kept in bondage. He did not constitute any person "avenger of blood." Plainly the "avenger of blood" was already a recognised functionary, and the chief object of the Mosaic law of murder was to protect a man-slayer who had not been guilty of that crime. The case in which he directed a woman to be burned is similar to that in which Judah was about to inflict that penalty on Tamar. A legislator must look to what is practicable as regards the people for whom he has to legislate. An attempt to abolish slavery and to suppress the avenger of blood would probably have failed altogether. But the moral principles of Moses were calculated to undermine these practices; for they were inconsistent with his fundamental moral principle, "Thou shalt love thy neighbour as thyself." Christ has ascribed the Mosaic law of divorce to this desire of regulating and controlling evils that could not (in that state of society) be removed.

That humanitarian principles are laid down in the Pentateuch in numerous places will not be denied. Moses secures the weekly day of rest for the unbelieving slave as well as for the Israelite, and even for the beasts of burden (Exodus xxiii., 12); and the ox that treads out the corn is not to be muzzled. He is constantly making some provision for the benefit of the poor, the fatherless and

the widow, and the Israelites are urged to be kind to strangers because *they* were strangers in the land of Egypt. Even to an enemy the Israelite was to do a good turn when it came in his way. "If thou see the ass of him that hateth thee lying under his burden and wouldest forbear to help him, thou shalt surely help him." And if the story of Joseph was written by Moses we can have as little doubt with regard to the humane sentiments of the writer as of the hero of his narrative. If he had a high moral standard and treated religious offences as crimes, he was no inflexible Draco who insisted that every offence should be expiated to the utmost and that the whole criminal law of the country should be based on retribution and revenge.

LEX.



## COLLECTING INFORMATION AT THE GIRLS' CLUB.

### A SKETCH FROM LIFE.

It has struck me a good deal, lately, in these days of factory legislation for women, that not much is known, from the inside, of the point of view on this, and other kindred matters, of the working girl herself, more especially of the girl belonging to the middle working class, *i.e.*, the class between the better paid textile worker, tailoress, &c., and the girl generally recognised as sweated in the lower paid employments, such as the worst kinds of wholesale clothing, match boxes, shirts, &c. This middle class, which in the West Riding of Yorkshire is a large class, contains the kind of girl, from 15 to 25 years of age, whom one meets in the streets bounding out of the factories at closing time, with yells and screams, and who indulges in the freest comments on one's clothes and appearance in the very loudest voice, and who, when out on one of those aimless and demoralising disputes which occur so frequently among non-trade unionists, can shout at and hoot the employer, till, as I remember happened in one case not long ago, he asked the police to escort him out of reach of their tongues across the square.

As far as I know her, this kind of girl has no respect for anything. She has worked in all kinds of workshops and

factories (except, of course, the better ones) and for all kinds of wages. She is unpunctual, for, thanks to the system of fining, she has come to regard lateness as no fault at all. She has very little, if any, sense of honour about her work, for very little, if any, is demanded of her. Her sense of truth is the same, and for the same reason. The constant system of raffling in the factory for spoilt work makes her alive to the advantages of a system of gambling. Of the relations between men and women she has quite uncivilised ideas, for she knows the disadvantage in some of the places where she has worked of a too severe code of morality; she frankly abhors trade unions which demand a better ideal than any she has (and which, as long as women have no vote, cannot lead to very much good), and not being afraid of those trade unionists who belong to her own class, she tells them this in plain language. She is bored with Sunday Schools, but does not say so as a rule, for she is extremely quick in adapting herself to the people she is with.

She is not at all a bad girl; she is merely the result of the absolutely unlovely surroundings which we call industrial progress. She is condemned to work in a hideous building where her eye can light on nothing but bare ugliness or vulgar decoration, where her labour is so specialised that her work is almost wholly mechanical and stunting to her intellect, so that she takes no real pleasure in it. Is there anything that can develop the mind in sitting "minding" a machine which makes so many gross of button-holes per day?

Constant external ugliness must produce internal ugliness, and in these girls you feel it is so. And yet we are turning them out in thousands, forgetting apparently that they are to become the mothers of an increasingly large part of the nation. They are not unhappy—it would be more hopeful if they were—and when I hear people pitying them, I am more inclined to pity the nation which watches their increase with calm indifference.

The girls' Club, referred to below, is a small Trade Union Club for girls, to which at various times people come who



wish to collect information about girls' wages, &c., and where there are no outsiders whose presence makes the girls seem better than they are. Let the reader imagine, then, that what follows is a transcript of the opinions expressed on these philanthropic visits by a member of the Club :

"It's surprising how some folks think that they can easy find out anything they want to know by just asking a few questions, and that other folks will answer their questions, and tell them all they want to know. That's what people does who come to our Club. We're trade unionists at our Club, all but Ada and me ; we know better than to bother ourselves about all that stuff (' No union but marriage for me,' as the song says), but everyone seems to think a deal about working girls now, and particular about trade union ones, so a many of those who wants to write books about us and about our wages come to our Club to find out whatever they can.

"We like their coming very much—it's fine fun for us—but we sometimes think *they* don't like it so well, for they often look worried and upset after an evening spent in asking us questions. Sarah, who is a weaver, says it's because we're north-country, and most of them who comes is south-country or from foreign parts, and so they don't understand our ways ; Maria's a tailoress, and she says it's because the Jews don't tell the truth about their wages, and that worries them a bit, but there's a many who don't tell the truth, Jews or no Jews, wages or no wages.

"The last time some one came it was a young man with eye-glasses, and such a queerly cut collar to his coat that I couldn't keep my eyes off it. It was a ready-made one, I could tell that ; it was just like some we'd had to make at our place for Germany, all but the collar. I think he thought something was wrong at last with it, for he began stroking it down—it would stand up at the back—and once as I was whispering to Ada about it, he turned round on us with quite an angry look. That settled me and Ada as to what we would say when he asked questions about our wages. We're both tailoresses just now, though a few years back we were in a paper bag shop, and once rolling wall papers, but we're both going in twenty now, and Ada's going to be wed, so we want to earn a bit more, and paper bags at 6s. a week aren't up to much, and the wall papers make you

feel sick all day so as you can't eat. You should see ladies who come round to our Club, how they stare when I tell them our wages was only 2s. 6d. a week when we began at paper bags, and I hear them say 'Poor girls,'—and then if they look to be the sort I like, the sort that understands you, I tell them how we played about and enjoyed ourselves, till the foreman came round and boxed our ears, and that seems to make them a little more comfortable in their minds about us. But once Ada told one lady that came, about what fun we had, and she began such a long jaw about wasting the employers' time, and a lot of that stuff, just like what the Union men are always saying, that she's never told anyone all that since, and now when I hear Ada telling people how hard she was worked there, it's all I can do to keep myself from fair bursting with laughter. Why if they only give you half-a-crown, it's only right as you should give them no more than you can help, back again.

"Our Secretary's wonderfully painstaking with everyone as comes. She tells them just how everything is, for she's been in a many trades, and she's never wasted no one's time, let alone the employers'—I feel a bit sorry for her at times. Them Union girls has to be so good and work well for their money!

"Well, the young man began asking Ada and me about our wages. We'd been working in a Jews' tailoring place, and did we earn more there than in an English one? Well you see it's never no use trying to explain to these gentlemen and ladies how you can earn a good wage at one place, and at another you can't, choose how you try, and how if you're a favourite you can earn what you please, for you get all the best work; besides, they're that innocent they know nothing about favourites, and if anyone tries to tell 'em they look as shocked as shocked, and say it can't be true—why I'm one myself in the shop I'm in now, and I can earn 25s. a week easy, but I don't so much like it, and you have to do a lot of spying on the others, which isn't very nice after all, but it's the only way in some places to get a living, and I've both my mother and grandmother to keep—but they would only jaw at me, them ladies, so I say nothing about it.

"Ada earned 12s. a week at the Jews', but I heard her tell the young man it was never more than 8s., so I knew she must have some reason, and when I looked up I remembered his collar, and then I saw Leah had come in—she's a Jewess—so I knew what her game was. Leah began saying, of



course, as what Ada were saying wasn't true, and how *she* earned 27s. a week reg'lar at that same place (it's wonderful what lies some girls tells), and that all Jews paid better than English, and all that kind o' talk, and she began telling him some wages an English sweater pays, only she didn't say he were a sweater, how he gives trouser-hands about 7s. 6d. a week, and of course I knew that was true enough, for I'd worked there, and I said so, but Ada give me such a dig in the side as made me gasp for breath.

"' Now them Jews 'll get the best of it, you silly thing you,' she said.

"I shut up at after that, and the gentleman couldn't get no more out of either Ada nor me. We was all getting tired of being asked so many things, and we didn't see why he should be doing it. And then he couldn't understand how different shops has different ways o' paying, and Jews particularly so. And when he began about weaving we couldn't make no sense at all out of his talk, and he seemed a bit put out with Ada and me for talking and laughing so much to ourselves, for his collar was looking sillier and sillier the more we looked at it, and so at last he went.

"When he'd gone we asked Leah what she meant by telling such lies about her wage, and she asked Ada why she had, and at last we came to words, and the Secretary said we'd best go home, and so did all the others, so we went out for a walk and met Sam and a friend of his.

"Jane, the Secretary, told us a long time after that the young man sent her a book he'd written, and there was a deal in it about our wages, but it didn't seem much like them, we thought. Jane said it was all our fault, but I told her it was all along of his collar, and because I didn't know what for folks should come asking them as is strangers all these questions; I don't do it, and my wages are my own, and so I've a right to say what I like about 'em.

"It puts me in mind of the Inspector and his questions. He comes round now and again—at least in the five years I've been working I've seed him happen four times—Ada says she's never seed him at all. But when he begins asking questions I allus shuts up. There's no use in getting into trouble as I can see, and he can see for hisself how they've cleaned all up for him, and how all's as sweet as sweet, and all t' doors unlocked. I'm always glad when he's coming, for it's not like the same place, and it makes us fair shake wi' laughing when he walks past and never knows what there is in

t' cupboards and under t' tables. It is good fun. Jane says we ought to tell him, but I'm none so silly.

"The Secretary, Jane, is always at me that I should tell t' Inspector all as he wants to know, but Ada and me is going to leave the Club soon, for we can't stand them Trade Unionists and their jaw no longer—they're always jawing a lot about good wages—I don't mind that, but it's about putting in good work for them as I can't stand. I shall work as I choose, and say what I choose, and if I don't want to put in good work, I shan't: each one for hisself, I say."

Reformers generally bring into their inquiries the prejudices and ideas of their own class, so that when the girls, as I have heard them, to my shame (not to their's), at our Club, resent being questioned and show their resentment by a wonderful disregard for truth, the questioners naturally think working girls are bad, and severe legislation is needed to reform them. Or, if the girls pose as ill-used, under-paid angels—for they have a delightful sense of humour—the enquirers begin to regard them as such too, and to thirst for legislation to help them to become even better, if possible.

It would be so much wiser if these reformers would leave behind on these occasions all the moral and philanthropic codes they have been taught, and would try and imagine what they themselves would be like if they had always lived in the circumstances of those girls—for we are all wonderfully alike, except where no sense of humour makes some of us woefully deficient.

Surely the only way to help these girls is to make them loathe their surroundings and insist on altering them, instead of merely trying to patch up the present system. By studying the girls' minds, one begins to see how this must be done.

ISABELLA O. FORD.

## RODEN NOEL : POET.

AT first sight there would seem to be little in common between the critic of the "Art for Art's Sake" school and the practical man of affairs. Their contempt for each other is unreserved. This, however, they have in common—an even greater contempt for the poet with a mission, the poet of great ideas. The poet, says the æsthete, must withdraw from this ugly, prosy, unpoetic world of ours, lest he should soil his art-robe in the mire of everyday life. Let him create a little world of his own, and people it with Daphnes and Celias, and eighteenth century snuff-boxes, and opalescent sunsets. The practical man is delighted to accept a definition which bars out the poet from the only world he knows or cares about, and resolves to bar himself out of the poetic world, lest he should be nauseated by its sugary unrealities. The poet is to him simply a lunatic. It is safe to let him be at large so long as he deals with Daphne and Co., but he would advocate lock and key if ever a poet go mad like Shelley and proclaim—"Poets are the unacknowledged legislators of the world."

We need not trouble much about the art-for-art's-sake clique, when we have realized who would be on their *index expurgatorius*,—Homer, Virgil, Dante, Shakespear, Shelley, Wordsworth, Blake, &c. If there ever was a modern poet who paid minute and delicate attention to style, who wove his words as he wove his tapestries, interpenetrating both



with marvellous colouring, if there ever was a modern author whose works the art-for-art's-sakers would accept, that author was William Morris, and he says:—

“There are some who consider it necessary to despise the common herd, to hold aloof from all the world has been striving for from the very first, to guard carefully every approach to their palace of refinement. Art at last will seem too delicate a thing for even the hands of the initiated to touch, and the initiated must sit still and do nothing—to the grief of no one.”

It is not in that the æsthetes affirm opalescent sunsets and a woman's golden locks as fit subjects for poetry that the poet of wider sympathies would quarrel with them. But the great world and all that is in it, the world of to-day and of to-morrow, just as much as the world of remote yesterday, the rough-and-tumble world of realities, of love and hatred, peace and war, of politics, commerce, religion, science—nothing of all this is denied by the poet of ideas, for art is the servant of life, not its master. In one of his dedications (“to a child who asked me for a poem”), Roden Noel writes:—

You ask me for a poem, dear,  
You want from me a lay,  
Who are a music blithe and clear  
Sung sweetly day by day.  
You, child, have songs within your heart,  
More pure than aught of mine;  
For Life, my dear, is more than Art,  
Who sings you is Divine.

Not for what is affirmed, but for what is denied by the æsthetic school does the poet of ideas quarrel with it. If the æsthete would take the trouble to read through the voluminous work of the poet he most detests, Browning, or Whitman, or Roden Noel, having his own rule of criticism uppermost in his mind, with a view to selection, the result would be an edition of any of these authors which for style and music would be thoroughly able to hold its own against the favourites of the art for art's sake clique. Such a selection from Noel's work would include “Sea Slumber-Song,” “Early April,” “The Secret

of the Nightingale," "O Years!" "Dying," "Seabird of the Broken Wing," "The Water Nymph and the Boy," a mere handful from among many gems, brilliant in form and colouring. The greater includes the less, and the fact that your poet can see poetry in a twentieth century exhibition or a General Election does not prove him incapable of singing the birthday of a wild rose or the requiem of an ocean.

Here, in his "Sea Slumber-Song," is a specimen of Roden Noel's work in this direction :—

Sea-birds are asleep,  
The world forgets to weep ;  
Sea murmurs her soft slumber-song  
On the shadowy sand  
Of this elfin land ;  
" I, the Mother mild,  
Hush thee, O my child,  
Forget the voices wild !  
Isles in elfin light  
Dream, the rocks and caves,  
Lulled by whispering waves,  
Veil their marbles bright,  
Foam glimmers faintly white  
Upon the shelly sand  
Of this elfin land ;  
Sea-sound, like violins,  
To slumber woos and wins,  
I murmur my soft slumber-song.  
Leave woes, and wails, and sins,  
Ocean's shadowy might  
Breathes good-night,  
Good-night ! "

Very often the criticism of this school is by no means pertinent, as where one of them objects to a poem by our author entitled "The Gemonian Stairs." I quote it at length, not only on the question of style, but also because it will have a peculiar interest for humanitarians :—

#### THE GEMONIAN STAIRS.

Only a slave in Rome of old,  
A slave for whom none cares !  
Slaughtered in dungeon deeps, and rolled  
Down the Gemonian stairs ;

Insulted, marred, exposed to view,  
 With other human lumber,  
*There in the Forum, where the Roman concourse grew*  
 Around his mortal slumber.  
 There in the Forum, by the mighty walls,  
 And columns hero-crowned,  
 Whose mourning voice upon the slumberer calls?  
 The whine of a poor hound!  
 He will not leave the swarthy clay,  
 He licks the rigid face;  
 Harsh-laughing, stern men in long-robed array  
 Gather about the place:  
 One pitying hath offered bread;  
 The dog but lays it down  
 Before the dumb mouth of the master dead;  
 Whose body later thrown  
 In turbid Tiber's flood he follows,  
 Borne headlong by the river .  
 To lift it from the strong, loud gulf that swallows,  
 Struggling, till both have sunk for ever.

A gleam is for a moment cast  
 Over oblivion;  
 The dead slave, whose dog holds him fast,  
 Drifts, passes,—all are gone . . . .  
 . . . . Behold! yon broken-hearted hare,  
 With hounds and hunters after her!  
 And sweet shy poet-birds of air,  
 Startling from man the murderer!  
 And seals we flay for their sleek fur!  
 Ah! what a wail of agony is torn,  
 From all these innocent martyr-races,  
 Writhing beneath man's cruel scorn,  
 Whose tyrannous hell distorts their faces!  
 A cloud of shame clothes earth forlorn,  
 Shrouds her among the starry spaces.

Now Wordsworth defined style as not so much the dress as the incarnation of the thought, and Noel often refrains from polish and regularity in order that the ruggedness of form shall convey a passion and intensity of feeling that refuses to be flattened out in smooth and equal verse. The critic speaks of careless disregard for the law of metre here, but obviously every such alleged carelessness in this



poem can be justified as the deliberate work of no mean stylist. To give but one example, *i.e.*, the italicized line, where the poet intentionally lengthens out the metre to produce the effect of a gradually increasing crowd.

The destructive sort of criticism can be reeled off by the yard, but after all, what does it profit? for it simply means that the choice is between the manikin, with his delicate and limited perfection in a miniature world, and the man with his gigantesque successes and failures—the poet of the heights and deeps. If his expression is not always faultless, at any rate *he has something to express*; because the manifold life of his age has first *impressed* itself upon his soul. He has chosen his food from the harvests of experience, has slaked his thirst at the hidden springs of life. There is something huge, Titanic, immeasurable about him. To this man all is fit subject for poetry, from a butterfly's wing up to (or should it be *down* to?) a member of the Cabinet, the hazy past, the glowing present, the long sweep of the future, the man in the street, the man in the clouds, the carnage as well as the glory of battle, commerce, political strife, the slums, the martyrdoms of the Church Calendar, and the martyrdoms of mean streets. And it is just because the poet of ideas is so catholic in his grasp upon life, that a short criticism or exposition of his work and aims must be quite inadequate. What should one select from so rich a field—his patriotism, his love of sensuous form, his kinship with nature, his sympathy with children, his passionate protest against hydra-headed Tyranny? His sense of kinship with animals has already been mentioned, but this was extended to all forms of life, and even flowers and trees seemed to him “living presences,” sacramental of some germinal personality lurking within. “I thank thee, Lord, I may enjoy thy holy sacrament of spring,” he exclaims, and indeed the whole of what is generally called his “nature” poetry was fraught with this human note; all living things were part of the divine brotherhood of the universe, which was the very body and blood of God. He was an evolutionist who interprets the lowest in terms of the highest. Man was for him no mere

monkey without the tail; but even the least vital, the jelly-fish, the tree, the flower, were potentially human and divine personalities. This exaltation of the lowly ran like a golden thread through all his thought.

He was a patriot, with intense love for England and her honourable traditions; and it is not as the result of cosmopolitan indifference, but of this very patriotism that he cries:—

"Old England mumbling, paralysed and cold,  
Shrinks, closer clutching at her hoards of gold."

His was a patriotism that dared criticise what it worshipped, dared warn his country of the disaster that must overtake a society that gives nothing in return for the nourishment it draws from labour, that can look upon the jostling of Park Lane and the slums as a not intolerable incongruity. There is one point above all others which, once mastered, contributes to the interpretation of his work, and that is that although for many years he played the rôle of protestant, of questioner, of destroyer, putting forward ever and ever again the great question about life, asking its meaning, doubting in face of the intolerable wrongs of the poor and the indifference of the well-to-do, the cruelties to children and animals, the strife and turmoil of Nature and of Man, demanding at heaven's high door the answer, and although he did eventually succeed in constructing a by no means negligible intellectual philosophy of God and the Universe—although all this is the fact, yet it must be remembered that the real answer to the doubt and disappointment and disillusion was always and from the very first in *himself*, at the heart's core. There was there from the beginning one great positive burning reality that refused to be overwhelmed by doubt or disillusion, one thing which made the whole world sweet to him, one thing that kept him sane and hopeful, and that thing was Love. And after all the poet lives by the heart and not the brain. He is above all what Mr. G. F. Watts would describe as the dweller in the innermost, and whoso dwelleth in love, dwelleth in God, and God in him.

As regards the orthodox Christian creeds, he was nearer orthodoxy than the conventional Christian world would suppose, but as the so-called orthodox are chiefly but unconsciously composed of such heretics as Tritheists, Monophysites, Arians, Nestorians, and Apollinarians, their opinion may well be discounted. He had, as a matter of fact, little quarrel with the creeds, but regarded an intellectual capacity for swallowing supposed events, Christian or otherwise, as having very little to do with Faith. Faith was not assent to the fact that on such and such a date, such and such a person went up into the clouds, or down into hell. If there were sufficient proof for it, by all means accept it, but faith was in the language of the Epistle to the Hebrews the very life-stuff of things longed for, the impregnable conviction of things not seen—*i.e.*, not events at present unverifiable, but things that never were, never are, and never will be seen—things of their very essence, invisible, the unseen, intangible realities of justice, goodness, mercy and truth, which underlie the world of sense, and alone give it consistence and being.

I have dwelt upon his interpretation of vegetable and animal life in human terms. Human life he interpreted in terms of deity, and the only deity he knew was the human God; as seen in the life of heroes, martyrs and saints, of men full-grown, full-developed, who had entered into their kingdom. He felt that God is immanent in, but transcends, and is in that sense distinct from the universe, but that for us, all knowledge of Deity must come through the channel of nature. He was orthodox enough to believe in the true manhood of Jesus Christ, and *therefore* in his Godhood. Potentially all, even the least developed, the wretched Pharisee, drunken with wine of hypocrisy, the forsaken millionaire, all, without exception, are the sons of the Most High.

Here is a poem which is very illustrative of his religious Faith.

#### INCONSISTENT.

A proud man, I adore the lowly,  
Sinful, kneel before the holy,

Unclean, fall prone before the pure;  
 Rebel, salute Who did endure  
 Unmurmuring; give blow for blow,  
 Yet Him who, burdened with world's woe,  
 Unmindful of His own, fell low,  
 Glory to avow I serve;  
 And though men jeer, I will not swerve!  
 Lord, take my heart, and open it;  
 Judge Thou if that be hypocrite!  
 Gold, pomp, revenge, the sword, the drum,  
 Scorn flaunted full by Christendom,  
 In face of Him we feign to follow,  
 And worship with lip-service hollow!  
 Yet why take this mean Man for God,  
 Unless for His poor, dark abode,  
 Where gloweth Love's eternal fire,  
 We felt some hidden deep desire?  
 We are captive, who would feign be free!  
 Soul of my soul, O Lord, deliver me!

Space does not permit me to dwell upon his political beliefs, but it will not be difficult to understand that, given the religion I have faintly traced as being his, his earlier Radicalism, with its tendency to pull down, soon resolved itself into a constructive Collectivism which only seeks to build up, using as foundation those Conservative elements in our constitution which have soundness and endurance. The mere fact of a man imbued with such a creed entering into the arena of politics should be a cause for rejoicing. The above-mentioned practical men of affairs, men without any ideal save the ideal of "making a pile," prove in the long run most unpractical and dangerous enemies of their country. It must needs be that these so-called practical men, along with other offences, come, but it is comforting to remember that they go, and are forgotten. No one recalls their narrow-hearted little schemes, adjustments, bargains, compromises. There were practical men in the days of Isaiah the prophet, but "their words are scattered, and their mouths are stopped with dust," while the prophets, the men of great ideas, the essentially practical far-seeing men, the poets, call to us "trumpet-tongued" across the ages.

CONRAD NOEL.



## A NEW STUDY OF BIRD LIFE.

IN the whole realm of natural history there is perhaps no more deeply fascinating study than that of the home life of wild birds, who in their skill in constructing their nurseries, their tender care for their young, their strange migratory habits, their gift of song, their power of flight, which they alone retain amongst the vertebrata, and their keen general intelligence, take very high, if not the highest, rank in the scale of animal life.

Many able men have studied with noteworthy results the anatomy, physiology, and habits of birds, whose pedigree has been traced back beyond their first divergence from the reptile type of their ancestors, which took place long before the human race was first evolved. It was, however, reserved to such poet-naturalists as Waterton, White of Selborne, Brehm, Romanes, Kearton, Hudson, and the American Francis Hobart Herrick, to pierce the veil which has for so many centuries shrouded in mystery the real intimate, untrammelled home life of wild birds, who in spite of their well-known attachment to man, resent any intrusion from him in their domestic affairs. Long before photography placed a new weapon in the hands of the naturalist, Waterton, approaching with reverent caution what he looked upon as sacred ground, noted many touching and pathetic details of bird-life, watching for hours, sometimes even for days and nights from one spot and considering himself fully rewarded if he could

win certainty on a single doubtful point. Yet even Waterton, though he so eloquently defended his bird friends from the ruthless destruction of the gamekeeper, and waxed wrath over the methods of experiment of the over-rated Audubon, could on occasion steal eggs and even cage humming birds, before, as he touchingly says, "his own suffering taught him mercy." The triumphs of Herrick have, on the other hand, been won without the theft of a single egg, the imprisonment of a single wild bird, or, except for one accidental incident, when some fledgelings died from exposure to the mid-day heat, the sacrifice of a single life!

In a beautiful volume illustrated with numerous reproductions from photographs taken direct from nature, Mr. Herrick\* claims to have inaugurated a new method of observing birds, the guiding principle of which consists, he says, "in bringing the birds to you and then camping beside them, in watching their behaviour at arm's length, and in recording with the camera their varied activities." By means of such a method he adds, "one may live with the birds for days at a time, and watch the play of their most interesting habits and instincts. The actors are not confined in cages; they suffer indeed no restraint except that only which their nature imposes. They come and go at will, and their life is as free and untrammelled as ever." "Success," explains this acute observer, "depends mainly on two conditions: the control of the nesting site, and the concealment of the observer." By the nesting site he understands "the nest and its immediate surroundings, such as a twig, branch, hollow trunk, stem, or whatever part of a tree the nest may occupy, a bush, shrub, strip of sod, or bunch of sedge"—in a word the actual nest with its actual environment—and it is to the skilful transference of both to a suitable spot for observation that the greater part of Mr. Herrick's success is due, though he also owes much to the unwearied patience with which he has noted every tiny detail that can throw

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\* "The Home Life of Wild Birds," by Francis Hobart Herrick. G. P. Putnam's Sons, London and New York. 10s. 6d. net.



light upon the meaning of what he so keenly observes. Reversing the proverb that a bird in the hand is worth two in the bush, which he sarcastically remarks "may be a good motto for the anatomist or epicure," he shows how much more valuable for the student of living animals "is a bird within reach of the hand, but still in the bush."

"The behaviour of a bird in a cage, or under any kind of restraint," he adds, "is no longer perfectly natural and free, at least not until all fear has been subdued, when it is no longer wild, but tame. What is needed is an invisible chain which shall hold the animals to some fixed and chosen spot, which can be approached in disguise. Fortunately for the student of bird habit and instinct, all these conditions are fulfilled for a most important and interesting period—that of life at the nest. The nest is the given fixed point, and parental instinct is the invisible chain. The wild bird, however, is bound, not merely to the nest, but to its young. Wherever the young go the old birds follow."

Having chosen the nest which was to be the invisible magnet, drawing the objects of his study within reach of his camera, Mr. Herrick, with the aid of a trained assistant, proceeded to remove it, environment and all, to a suitable spot in a good light, choosing, as a rule, the time when the parental instinct was strongest, that is to say, when the fledgelings were already hatched, but before they had become in any sense independent of their parents' care.

"If the nest," he says, "like that of an oriole, is fastened to the leafy branch of a tree, the nesting bough is cut off and the whole is then carefully lowered to the ground, so that the branch with the nest shall occupy the same relative positions which they did before. . . . The nesting bough is fastened to two stakes which are firmly driven into the ground, and so far as fledgelings and parents are concerned it presents no difference in appearance, though it is now four instead of forty feet from the ground. . . . If the nest is in a tussock in a shaded swamp the whole is cut out and taken to the nearest well-lighted place; if in the woods it is carried to a clearing where the light is favourable for study. Again when a nest like that of the Brown Thrush occupies the center of a dense thorn bush which no human eye can penetrate, and much less that of the camera, its main supports are cut off and the essential parts are removed to the outside of the clump, or to any favourable point close at hand."

Mr. Herrick emphatically insists that the nest itself is not disturbed in any way; it is, he says, "as if the living rooms

of some human abode were removed from the fourth story to the ground floor or *vice versa*," and he proves beyond a doubt that, strange and incredible as it may appear, such liberties can be taken with wild birds if the proper precautions are observed, without injuring either parents or young in any way. "The former nesting conditions are," he says, "soon forgotten, while the new are quickly adopted and defended with all the boldness and persistence of which birds are capable."

With a generosity rare indeed amongst inventors, this ardent naturalist gives a minute description, supplemented by several photographs of his movable tent, for which he prophesies "a great future as an observatory of bird habit," adding that "here is certainly a fallow field which has been scratched only here and there by the plow," and warning future workers in it against over haste, begging them to give the birds time to settle down under their new conditions before approaching too near, and to cultivate that Patience which is the naturalist's stock in trade.

After these preliminary explanations and warnings Mr. Herrick proceeds to record the results of his own observations, selecting as typical four birds native to America, the cedar waxwing, the Baltimore oriole, the kingbird and the redwing blackbird, describing minutely their behaviour in face of the change he had brought about in the surroundings of their homes.

"On the third of July," he says, "a cedar waxwing's nest was discovered in an unusually attractive situation. It was fastened to the horizontal branch of a white pine about fifteen feet up, in the line of an old stone wall that bounded an open field."

Passing beneath the tree almost daily, he always found one of the old birds in the nest, whether sitting on the eggs or brooding on the young he was not sure, and for ten days he waited patiently before the propitious time for removal came, when the heads of the little ones began to appear above the rim of the nest. The bough was then sawn off, carried fifty feet from the tree and set up in a newly-mown field in an east to west line at a height of four feet from the



ground, and in such a way that the birds could be skyed and the light would be good from nine o'clock in the morning until three in the afternoon. The tent was then pitched and closed, the whole operation lasting somewhat longer than the usual ten minutes on account of the difficulty of getting stakes the right height.

From the peeping holes in his closed tent, Mr. Herrick soon saw the old birds come to the removed nesting bough, and heard them replying to the cry of their young. "In twenty-four minutes," he says, "the female was on the bough feeding her brood with red bird-cherries by regurgitation," and in a short time both parents had become so accustomed to the tent that they used its peak as a point to alight on; in fact, it became an observatory for them as well as for the hidden taker of notes inside. From 8.40 in the morning to 4.40 in the afternoon Mr. Herrick remained on the watch, and during that time the fledglings were fed at very frequent intervals, with cherries, blueberries, and insects, chiefly grasshoppers. "The nest and young," he says, "were also regularly cleaned, and the new conditions seemed to have been completely adopted." The observations made at this time were supplemented later by others, Mr. Herrick having "camped beside four different nests of the cedar waxwings, so that after watching the behaviour of old and young birds at short range for a week at a time," he feels that he knows their habits fairly well by heart. His photographs graphically give the whole life-story of the waxwing, from its blind, naked, helpless babyhood, to its full development as the living protector of its own offspring.

The orioles were even less disturbed by the removal of their home than the waxwings had been, for after searching in vain for their beautiful nest in the apple tree from which it had been taken, they were guided to its new position by the cries of their young, whom they fed as if nothing unusual had happened, visiting them no less than fifty times during the first day.

Bolder than the cedar birds or the orioles, the kingbirds did not wait for the nesting bough containing their home to

be fixed in its new position before they were swooping down about Mr. Herrick's head, snapping their bills and apparently protesting against his interference in their private affairs. It was not until the observer had been waiting in his tent for two hours and twenty minutes, however, that the angry pair accepted the situation and began to feed their young, but they soon made up for lost time, paying no less than seventy visits to the nest in a little over five hours, thus affording Mr. Herrick a rare opportunity of photographing them and their fledglings in many characteristic attitudes.

The nest of the redwing blackbird was not removed from its original site at the edge of a swamp, for it afforded so fine an opportunity of studying the actual original conditions of its builder's home-life, that in spite of the mud and water surrounding it, Mr. Herrick determined to pitch his tent close to it. "A space four feet square," he says, "was cleared of bushes at one side of the nest, and, in order to sky the birds, the nesting twigs were slightly raised, but none of these were severed or otherwise displaced." A raft or platform was then constructed over which the tent was pitched, and when weighted with the observer and his apparatus the flooring was barely clear of the water. By half-past nine in the morning all was ready, the watcher waiting, the camera in position, and although the parent birds fluttered about uneasily for a short time, in less than an hour the mother was feeding the young and the father pouring out his song of encouragement, always, says Mr. Herrick, "a sure sign of growing confidence." Three days later an intruder in the swamp frightened the old birds, and they flew away, followed by their young, but not before a number of very characteristic photographs had been secured.

From this deeply interesting account of his experiences when inaugurating the new method of observation, Mr. Herrick passes on to describe with the utmost possible precision what he calls the "Tools of Bird Photography," and then proceeds to sum up in a series of articles on individual birds the general results of his work with those tools. Specially fascinating chapters are those called "A

Robin at Arm's Length," with its numerous pictures of that most popular friend of man, and the "Care of Young and Nest," giving many new facts gained in a long series of careful observations. The home-ways of brown thrushes, chesnut-sided warblers, kingbirds, and many others, are described with sympathetic enthusiasm, their wonderful care in preparing the food for their fledglings, with their instinctive knowledge of domestic sanitation, being specially dwelt upon and illustrated by numerous excellent photographs, such as those of a pair of kingbirds bruising a struggling grasshopper with their bills before offering it to their fledglings; the female assisting a young bird to swallow a large insect known in America as the grampus, the long wings of the luckless insect still protruding from the little one's bill; the brown thrush cleaning her nest and the father kingbird performing the same duty whilst his wife is brooding over the young. The concluding chapter on "Taming Wild Birds without a Cage" should be carefully read by all interested in education, teaching as it does the lessons so much needed at the present day of reverence for the rights of others and sympathy with their interests. It is thanks to these two rare qualifications that the American naturalist has been admitted to the very inner sanctuary of nature, and been enabled to realize to some extent what her primal beauty must have been when fresh from the hand of her Creator.

NANCY BELL.

## FRANCE AND JEANNE D'ARC.

A NEW translation\* into English of the whole proceedings connected with the condemnation and rehabilitation of Jeanne D'Arc, the famous Maid of Orleans, invites a re-consideration of the problem of her astonishing career.

In the National Library at Paris, are : first, part of the original " Minute " of the Process of Condemnation ; second, two of the five copies of the whole of that Minute made at the time by one of the assessors and signed by the registrars, attested by the seals of the two judges ; third, two copies of the authentic document of the Process of Rehabilitation.

The Process of Condemnation (1430-1431) lasted over nearly five months at Rouen, during which Jeanne was subjected to 15 examinations, public and private, by a Court of two judges and some 80 assessors—ecclesiastical lawyers who, backed by their *confrères* in the University of Paris, put every question to her their subtle wits could invent. From the 70 articles of accusation, with the 12 to which they were reduced, we see what a violently prejudiced trial it was ; nevertheless, it is from Jeanne's replies that we know the main facts of her career from her own point of view.

The Process of Rehabilitation (1450-1455) was carried on by enquiries in Domremy, Vaucouleurs, Orleans, Paris and

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\* " Jeanne D'Arc, Maid of Orleans, Deliverer of France, 1429-1431," edited by T. Douglas Murray. (1902. Wm. Heinemann, London.)



Lyons—113 witnesses being examined, some of whom took part in the original trial, all had known something of her, some very intimately. The later process, as was natural, is biased in favour of Jeanne, but it was a work of light and justice compared to the former.

The main facts of Jeanne D'Arc's career are thus as well authenticated as any in history; how their extraordinary character is to be explained remains the question. To me the reply seems to come naturally out of those facts considered as a whole, and in relation to France at the time and since.

### I.

Agincourt with its ten thousand Frenchmen slain—most of whom were of the noblesse and knighthood—sounded the knell of medieval France. The re-making of the country seemed in the hands of the King of England, and the factious strife of the Burgundians and Armagnacs soon became a struggle between imperialism and nationalism. The death of Henry V. at the moment in which he laid his hand on the crown of France, and the advent of Jeanne D'Arc decided the question, contrary to all the probabilities, and the future France, one and indivisible, was born.

The France that was passing away was truly represented by its king, for it was crazy with disease and misery, and subject to outbreaks of homicidal mania. This at least was the condition of Paris. Massacres again and again strewed its streets with corpses, and the unhappy people danced the Dance of Death on the very graves of their ancestors. There were 80,000 empty houses, as many as twenty or thirty children might be seen lying together on one dung heap, cold and hungry, their cries at night distressed the hardest hearts. In the country the depopulation was frightful. War brought famine, and famine pestilence, and pestilence again brought famine. The vision of Death on the Pale Horse was realised in every particular. The people died not only by the sword, hunger, and disease, but wolves appeared,

even entering Paris. Such was the state of things in France between 1418 and 1422.\* But the Deliverer was coming.

## II.

In the Marches of Lorraine, high up the valley of the Meuse and in sight of the Vosges, a peasant girl is standing in a village garden—the year was 1424. She sees a great light, and she hears a voice which says: “God has seen the misery of France, be good, my child, and He will send you to be its deliverer.” Many times afterwards does she see the same light and hear the same voice, and she comes to recognise that her heavenly visitor is the Archangel Michael. He promises her, as guides and protectors, Saint Catherine and Saint Margaret, and the next few years of her life are passed under their tutelage. Thus her experience shapes itself in her mind, which, as far as human knowledge is concerned, is virgin soil, for she knows nothing but the traditional lore of her people; she cannot even read or write. She only knows how to work and pray. In sewing, weaving, tending sheep, she can bear comparison with any of her companions; taking her share in the life of the village, entering into its joys and sorrows, dancing, hanging up garlands on the fairy oak, nursing the sick, she proves herself a useful, disinterested neighbourly girl. Nevertheless she has a life apart, a secret mystic life which only shows itself in more than usual devotion to the village church.

When she was in her seventeenth year, the voices appear to have become urgent that she should begin the work to which they called her. From her father she could expect no sympathy, for he, having some inkling of what she wanted, had said that he would rather drown her than see her go away with the men at arms. But her uncle believes in her mission, and goes with her to Vaucouleurs to ask the governor to send her to the king. This governor tells her uncle to box her ears and take her home, but Jeanne's persistence prevails, for there is something about her which

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\* Michelet, *Livre IX.*, Chap. III.

causes people to do what she wants. Her hosts and other citizens in Vaucouleurs club together to buy the manly attire her voices tell her she is henceforth to wear. Two gentlemen present when she is pleading with the governor—a knight and a squire—devote themselves to her service and are sent off with her to the king. On the road they stop at Fiérbois where, in the church behind the altar, she discovers by revelation an old sword. Thus dressed and armed she arrives at the Castle of Chinon where Charles VII. and his court are in deep discouragement: Orleans, the city of all others the most devoted to the king's party, geographically the heart of France and the key to the South, having been invested by the English.

Admitted to an interview, she enters the castle in a sort of ecstasy; seeing only a God-loved king and a company of holy angels, among whom she is the one chosen to bring this king a crown, the finest in the world. She is brought into a hall, lit up by torches, where the king is hidden among three hundred knights. Singling him out, she says, "Gentle Dauphin" (she will not say "king" until he is crowned), "I am Jeanne the Maid." Disregarding his attempts to mislead her, she falls on her knees and announces to him that she has been sent by the King of Heaven to tell him that he is to be consecrated and crowned king of France.

So far the story reads like a fairy tale, a dream, or some medieval romance. However, the facts have undergone tests of their truth than which it would be difficult to imagine any more severe. Charles VII. referred her message to an ecclesiastical commission under the Archbishop of Rheims, which immediately proceeded to enquire into the Maid's claim to a prophet's rôle. "Show us, Jeanne," they asked, "a sign that you have really come from God." "I will show none," she replied, "here at Poitiers; the only sign I can show is raising the siege of Orleans."

The Maid entered Orleans on the evening of April 29th, 1429. The English commanders had spent the winter in completing the investment of the city by a series of bastilles connected by ramparts, intending no doubt to reduce it by



starvation. It was in an effort to open the communication with the other side of the river that the decisive struggle took place. The Maid in leading the attack was wounded in the neck by an arrow and fell down. They carried her to the rear, and as they extracted the arrow she shed tears. The evening coming on she appeared again on her horse holding her banner in both hands. She planted herself on the edge of the trench and stood motionless. Her apparition seemed to appal the enemy and to encourage her followers. Suddenly the bridge which the English were defending gave way, and Sir William Glasdale and 300 of his men were drowned in the Loire. The effect was greater than the defenders had imagined, for the next day the English raised the siege and departed. She had only been in Orleans eight days when this occurred, henceforth she was known as *La Pucelle d'Orleans*, and will be as long as time lasts.

She had accomplished the first part of her mission; the second was to have Charles consecrated at Rheims. But the king and his counsellors did not comprehend what was given them in the Maid. Charles preferred to give *fêtes* in her honour. She was thus compelled to go on helping them to take towns and fight battles, which she did, exhibiting the same faith and courage, with the same marvellous results as at Orleans.

After the battle of Patay the Maid again pressed forward the journey to Rheims. The people who came streaming from the provinces, believing in no one but the Maid and in nothing but what the Maid said, soon made it a great national and popular movement, in which king, nobles and captains were forced along, there being only one will in France and that was to follow Jeanne D'Arc. In the cathedral at Rheims her glory reached its zenith. During the gorgeous theatricals of a medieval coronation she stood the real monarch, holding aloft her victorious banner, the only one in the sanctuary. At the moment the crown was placed on the king's head she fell at his feet exclaiming, "Gentle king, now is accomplished the will of God, you are the true king to whom the kingdom of France belongs."



And the whole assembly wept with her. It was a coronation by the People and Church of France, for not one of Charles the Seventh's peers was present.

### III.

Jeanne's work was finished. To mingle any longer in a corrupt court and to be honoured by it, was ruin to that simplicity of heart she had hitherto displayed. Charles, incapable of comprehending the Deliverer, wanted to load her with personal rewards. Her village was declared free from taxes for ever, her family ennobled, and a coat of arms bestowed upon them. Jeanne herself must have a household with great officers in attendance. Her sudden withdrawal from this dangerous path and precipitation into a furnace of affliction is the final proof of the very real and very great character of her mission.

Jeanne had a woman's heart as well as a seer's vision, and it was this that brought her to temporal ruin. Instead of obeying her deepest conviction of what she ought to do, her sympathy with the king and the people of France, and perhaps even the desire for another taste of the ambrosial food upon which she had been living, caused her to continue with the army. Moreover, it might well appear to her that she could never again live the old life at Domremy. Her soul had found its true home, and that home was as large as France. Her love embraced its people as one being. "My hair stands on end," she said, "when I see French blood spilt." So for weal and woe she went forward with France and its king.

Henceforth for her there was nothing but the ordinary life of man, a tangled web of success and defeat, and this was destructive of the glamour that hung about her person and her name. The jealousy which many mean souls had felt in beholding themselves led and outdone by a woman began to show itself. One day in Compiègne, to whose relief she had gone, she stood up against a pillar in the church, and turning to the people said: "My friends and

dear children, I tell you assuredly that I am betrayed and shall quickly be given up to die." That same day she led a sortie which was repulsed, and the Maid remained behind to cover their retreat. When she reached the gate she could not get in for the crowd, and being marked out by her coat of scarlet velvet she was captured. Those in charge of the gate closed it, and no attempt was made for her rescue.

## IV.

She fell into the hands of a lord of the house of Luxembourg, a vassal of the Duke of Burgundy, and this chivalrous gentleman sold his captive to the rulers of the Anglo-French for 10,000 francs. In the conspiracy to murder the Maid of Orleans, soul as well as body, Cardinal Beaufort was the leading spirit, Beauchamp, Earl of Warwick, his confederate, their instruments being the University of Paris and Cauchon, Bishop of Beauvais, and certain of his creatures. This Cauchon, a "very noble and solemn clerk," not only conducted the negotiations for her purchase, but pretending that she was taken in his diocese, claimed the power to proceed against her as a sorceress. "Bishop," said Jeanne to Cauchon on the day of her martyrdom, "I die through you ; I summon you before God."

He and Warwick were the two leaders of the clerical pack who worried for five long months this great soul. They chained her by the legs to a great log of wood, it is even said that she was chained down to her bed at night, they put brutal soldiers in her room day and night, they subjected her to endless examinations, laying subtle traps to catch her, they sent traitorous pretended friends to talk with her, while the bishop and earl listened through a hole in the wall, they had her into the torture room, the instruments and the torturers being there ready, all without obtaining the least denial of her mission from God. "Were you to tear me limb from limb, and soul from body, I will tell you nothing more ; and if I were to say anything else, I should always declare that you made me say it by force."

Finally a loathsome sermon having been preached to her in the presence of two bishops, Jeanne replied: "What I have always said in the trial and held, I wish still to say and maintain. If I were condemned, if I knew the fire lighted, the faggots prepared and the executioner ready to kindle the fire, and if I myself were in the fire, I would not say otherwise, and would maintain to the death all I have said." On the margin of the original manuscript the registrar Manchon wrote: *Responsio Johannæ superba.*

For a brief moment however this noble soul had to feel the very bottom of the horrible pit into which she had fallen. By terrorism and deceit her cruel foes extracted from her a formal abjuration of her voices and a promise never again to wear a dress unsuitable to her sex and to submit to the church. In four days she revoked her abjuration. Her voices had reproached her for signing it. It is probable that her enemies bent on her death had made it impossible for her to avoid resuming her male attire. At any rate she had resumed it. Perhaps she regarded it with her banner as part of the insignia of her calling. She seemed as unwilling to give it up as a bishop his pallium. They lost no time in sending her to the stake as a relapsed heretic, apostate and idolatress; and with these words written over her head, and arrayed in the diabolical dress of the Inquisition, the Maid of Orleans was burnt to death with unusual cruelty, her ashes being thrown into the Seine.

This atrocious crime lies at the door of the Franco-English of this country—the House of Lancaster and its ministers and captains, and with their faction in France, the Anglo-French. What with this faction and the English soldiers in Rouen, many of whom were mercenaries from various countries, it was as much as a man's life was worth to speak of Justice to the Maid. The dominant faction was so afraid of her, so savage at the defeats she had inflicted upon them and their own cowardice, that they could not endure the long delay of her trial or even the slight delays at her execution. The mean ingratitude of Charles VII. and of his captains and courtiers, in making no effort to save her, is almost incredible.



When he was secure in his position and had little to fear from England, he began to think it worth while to clear the memory of one who had been the means of delivering him and his country from ruin. But he had not energy to force his project through; at last the Pope was moved to interfere, and Calixtus III. appointed the Archbishop of Rheims, the bishops of Paris and of Coutance, and the Inquisitor of France to enquire into the proceedings at Rouen in 1430-1431. Couchon, Bishop of Beauvais, and the sub-Inquisitor who sat with him as Judge, were cited as defendants, the mother of Jeanne D'Arc and her brothers were the plaintiffs. The defendants had gone to their account elsewhere; however the Judges after a long series of enquiries declared that "the processes and sentences at Rouen in 1431 were full of cozenage, iniquity, inconsequences, and manifest errors in fact as well as in law, and they decreed that they have been, are, and shall be—as well as the aforesaid abjurations, their execution and sentence and all that followed—null, non-existent and without value or effect." This judgment was published the same day at Rouen in the square of St. Ouen where the Maid was condemned, and the following day in the Old Market where she was burnt.

## V.

I said at the opening of this paper that the explanation of Jeanne d'Arc's astonishing career comes out naturally from the facts considered as a whole and in relation to the entire history of France. That she was moved in the first instance, and all through her career, by certain spiritual phenomena she called "Voices," is not the most important problem that has to be solved. If even a naturalistic explanation could be given to the voices she heard and the apparitions she saw, and it could be shown that she was under some kind of hallucination with reference to them, we should still have to face the main difficulty of this history—the appearance of a deliverer in France at the very moment when such a deliverer was most sorely needed, a deliverer who raised the



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from a state of mortal prostration, and putting new life into it, made it a nation. How are we to account for an ignorant peasant girl—Jeanne did not even know her letters whose experience had been confined to an out-of-the-way rural district, outside France, possessing such an unerring insight into the state of public affairs that she knows exactly what ought to be done to deliver France, and not only knows what ought to be done, but how to do it, and not only knows how to do it, but actually does it herself? On the hypothesis that all her powers lay in herself and not in any teacher above and beyond herself, we must suppose her an individual of the very highest mental capacity and endowed with physical strength quite unparalleled in a woman. But even supreme mental power, and the physique of a female Samson, would have done nothing without the impulsion of the moral motive of the sublimest order. How are we going to account, on such an hypothesis, for a woman of more than queenly virtues arising among a race of respectable peasants, whose qualities are thrift and narrow views of life, and a lifelong resignation to its ills? From such a centre Jeanne suddenly steps forth, and by the sole force of the living fire within her dominates the situation—king, court, bishops, statesmen, captains, and clerics and the entire people obey her commands and follow her lead. The fear of man seems unknown to her, by the mighty force which dwelt in her she subdues the very tigers of the human race, these raging wild beasts follow her with mute obedience. Was it her beauty did this? Oh, no! on English testimony, perhaps prejudiced, we are assured she was not beautiful; and if the only portrait with any traditional probability gives us a true idea of what she was like, she looked the peasant she was, and the last person to affect a corrupt court.

This very cursory account leaves no adequate impression of her military achievements. In difficult moments she again and again saved the situation and brought the enterprise to a successful issue. The military results she effected in the one year of her public career would have given fame without end to any general. How can we

account for such astonishing military genius suddenly springing up in the brain of a young girl who had not had the least previous experience or the slightest military training?

Whatever answer we give to these difficult questions it will not be satisfactory unless it solves the problem of the relation of Jeanne d'Arc to France. Why was her appearance on the scene of such transcendent importance that it changed the whole course of the history of Western Europe? But for the intervention of Jeanne d'Arc, France might never have arrived at a national life, never have been more than a geographical expression. In any case it is owing to the glorious Maid of Orleans that it did become a nation.

From the moment that she received her call in the garden at Domremy, to the moment in which she breathed out her soul on the scaffold at Rouen, her whole force was concentrated on this one object: consciously and unconsciously she worked to inspire king and people with a confidence in the destiny of France as a nation, one and indivisible. She could not see French blood flow, but she shuddered as a girl shudders when she sees her own blood flow. The king, she worships as the ideal head of the country, the people are her children, her little ones—and the whole of the true sons and daughters of France, including the king, look up to her as to a mother whose word is law.

In the presence of such a career it is a wholly insufficient explanation to say, that being a noble-minded enthusiast and the people she had to do with intensely superstitious, and the two conditions of mind coming together by their combined power, Jeanne and her followers did these great deeds.

Michelet says:—"The originality of the Maid, that which caused her success, was not so much her bravery or her visions, it was her good sense. This daughter of the people was not blinded by her enthusiasm but saw the question and how to solve it." Certainly Jeanne was an enthusiast, but so was Cromwell, and so was Mazzini. But what those great souls did, is not to be explained by a quality they had in common with many a lunatic. Nor

does superstition sufficiently account for different provinces of France flocking to the especially in a day when party feeling ran neighbouring villages would be of opposite : this consideration, the fact that different in laws, and even language separated these pro be seen that a quality so provocative of sc tion could never have made them all of o mind with reference to any object so sane a of France and its unification under one hea

No, Jeanne d'Arc drew these people to music she played to them brought all harmony. By the intensity of the fire th attracted to herself all the latent life in t people, and that life, uniting, did wonder poor experience, incredible. In that as from Orleans to Rheims her white banne them a unity of heart that they had never b but which from that time remained an five hundred years France has been trying t

To me, then, the simple explanation that solves the problem of the wonderful char considered in its peculiar relation to the wh times, as well as to the subsequent history c The soul of France in that eventful year making one of those great springs towa which in all religions is described as a π birth. At such a moment it was not stra life should concentrate itself in one membe member spread through the whole body Orleans was the heart of France, the whole until the people began to feel it was theirs— in Jeanne D'Arc.

RIC



## “TWIGS TO BE BENT.”

“A BABY,” said a well-known physician to me twenty years ago, “is a blank sheet of paper, on which you write whatever you choose.”

I resented this idea at the time with lively indignation. My baby, I was quite sure, was something much more rare and extraordinary than any blank sheet of paper, and I doubt not that millions of parents would share my opinion, if their babies were in question.

But I have come to the conclusion after twenty years' experience, twenty years of trying to look at my own and other peoples' babies from every possible point of view, that that doctor knew what he was talking about, and had good grounds for labelling the large majority of infants born into this world blank sheets of paper.

I think I would prefer, perhaps, to put it as Tom Hood more poetically puts it, that infants are “twigs to be bent”; bent hither or thither as the gardener decides. The few babies who come amongst us with full blown characters like Mozart or Shelley are heaven-sent geniuses, and as rare as angels' visits. The vast mass of babies can be directed in a right line, or a wrong one, as easily as a gardener can train and direct, or twist and contort the tender young shoots of his trees and plants. It is no uncommon sight to see a tree, or a climbing plant, twisted, by accident or on purpose, out of its natural beauty into crooked awkward shapes; or a

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... slower trying to force a blossom from beneath the weight of a stone or a stick.

... physician was right, does it not make the responsibility of parents, teachers, and nurses very great? The sheet of paper is not too large, and if it is scrawled over in the beginning with undesirable hieroglyphics there will be room left for more worthy writing.

... I have a friend who is fond of playing tunes on the piano with one finger; and when, as often happens, he plays a wrong note, he essays to rub it out—as you would rub out a wrong figure on a slate—and play the right one. But there is no going back, or rubbing out, with the child's brain; if the twig is once distorted it bears the crooked mark for all time. The impression once fixed on the photographic film of the brain—so to speak—never altogether fades.

Thus there is a good deal more than we read on the surface in that favourite old nursery proverb "Little pitchers have long ears." Does this saying mean to convey the idea that children's ears are larger than those of an adult, or their hearing more acute? Does it not rather suggest that the brain of a "little pitcher," like its muscles, is more malleable, more quick to receive, and more likely to retain an impression than an older brain? It is a well known fact that when people get very old, and the events of every day life have lost their absorbing interest, memory reverts to childhood again. It is a remark often made about an old person that he remembers better what happened sixty or seventy years ago than he remembers what happened last week. Does this not prove that the pictures, or words, photographed on the brain of the child, never wholly fade? They may be obscured by other pictures in the rush and hurry of worldly business or pleasure, but they are still there, and deeply outlined, influencing both thoughts and actions; later on, in the quiet inactive days of old age, memory goes back and finds them stored safely away in the cupboards of the mind, and looks through them, sometimes with pleasure, sometimes with pain.

How important it is that we should teach our children, as far as we can, only what they can go back and look at with pleasure! And more than that, how desirable that we should only let them see and hear what they can go back and look at without pain. For it is not only what we actively *teach* that is impressed on the child's brain, but what he sees and hears around him in daily life from the cradle onward. The old copy book axioms were full of truth: "Practice is better than precept," "Actions speak louder than words."

It is little use to teach a child the gospel of love, and to exalt the beauty of the peacemaker in words, if our actions and our daily practices do not carry out our teaching.

I could not help being amused one day last year at the unrecognized inconsistency of a friend on whom I paid a long-deferred call. Her husband was an avowed peace lover, an anti-war man, a notorious "Pro-Boer" (a silly catch-phrase, but conveying my meaning at the moment).

When I was taken up to pay a visit to the nursery I found the two sturdy boys of seven and nine in war-like array, one with a toy gun, one with a wooden sword, charging an imaginary foe with the liveliest delight.

"I thought your husband was on the side of peace," I said to my friend when we returned to the drawing-room.

"We both are," she replied.

"The boys seem great warriors," I ventured.

"They are only playing," she laughed.

"They will do more than 'play' in a few years," I replied.

"Do you think they will?" she asked, adding earnestly, "do you really think it will influence them? They play for hours with their box of soldiers, fighting mimic battles. I should hardly know how to occupy or amuse them."

"Turn them out to dig in the garden," I said: "give them tools to carpenter with. But is it consistent to cry out against fighting abroad and to teach it to your babies at home?"

"No, it certainly is not," she admitted, reluctantly, after a short pause, "but I never thought of it in that light; all

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ir boy friends have guns and soldiers, and we have looked it as just 'play.' "

"But even play can be a teacher, don't you think? Your *is* are learning to glory in fighting and battles—and in winning their battles, too; neither wished to be on the *ing* side."

"Of course not," she said.

And then we looked at each other and smiled, and were silent.

"I should not like my boys to be called molly-coddles or cowards," she said presently.

"Which they undoubtedly would be," I replied. "The pioneers must always be willing to be called names, or to be laughed at; abuse and scoffing have been the stock-in-trade of the majority for all time. And after all is it not more cowardly to do evil with the majority?"

"Of course," she replied, "but *is* it evil for children just to play?"

"That is for you to decide," I replied, "you and your husband. But we know that children are very impressionable and easily influenced. If you set a child on a rocking horse and give him a whip and say, 'whip him well and make him gallop,' the child does not forget to whip him well in later life, or to add the brutal spur to the whip. If you say to the young child 'pat him and stroke him, and he will gallop ever so fast,' the child enjoys his rocking horse every bit as well, and learns to be kind and gentle. Don't you think the same holds good with all the games and toys we give our children?"

"It must," she admitted; "of course it must."

And I left her with a perplexed pucker on her brow, and a desire to talk it out with her husband.

Some years ago I asked a prominent statesman how it would be possible to do away with the thoughtless cruelty of many of our practices.

"Educate the children," was his instant reply, "begin when they are young and impressionable, and educate them—not so much in history and arithmetic—as in the gospel



of kindness instead of the gospel of force. It is the only chance."

Within the last day or two a young and earnest teacher of my acquaintance has received a large number of essays on animals from children to whom she had offered a prize for the best essay. In every essay the little writers asserted that "animals were given us for our use."

If this is impressed on the sensitive mind of a child by the teachers and parents in whom he believes, what wonder that he grows up to regard all living creatures as his rightful property to kill, to beat, to imprison, or to terrify for his amusement.

In innumerable cases it is but a question of the point of view, or of want of thought. The boys who threw stones at the frogs did not stop to consider whether the frogs themselves enjoyed it, any more than the hunting-man stops to consider whether the hare thinks it "a splendid run." And the mother who gives her children guns and butterfly nets does not think of the fact that she is implanting and fostering a love of killing.

I have known children get quite as much fun and exercise running after a butterfly to see which flower it would call on next as they could possibly have had in catching it in a net.

I can distinctly remember when I was not more than four years old the keen interest and excitement of looking out of my nursery window to see if a bird had been caught in the trap set by my big brothers. They arranged bricks and twigs in some way so that when the hungry and confiding robin hopped in for the crumbs one brick fell and imprisoned him. Our parents knew nothing of this, and my nurse was as eager and interested as my brothers. To-day it is one of the pictures stored in my mental cupboard that I am rather ashamed to go back and look upon. How could any of us have found fun in such a mean dodge? And yet it was only on the lines of what men to-day call "legitimate sport."

We *teach* our children to be sneaks and cowards. To lay traps and snares, to hide behind walls and bushes with a

gun ; to go out a hundred against one ; to delude a fish with a false fly and a hidden hook—and we call the whole pitiful pretence “ sport,” and bring our children up to think it all “ grand ” and courageous.

Remember, mothers, how easy it is to alter the little child's point of view. If my nurse had said, “ Poor little bird, I hope he won't get caught, his wife will be so sad,” I should have probably realized the bird's point of view. To-day I find it much more interesting and amusing to make friends with the birds than to catch them and make them homesick. They know quite well when it is lunch time in the winter, and they come and sit on the railings in long fat rows waiting for crumbs, whilst others sit on the house top awaiting the whistle which is their dinner-bell.

ELLEN TIGHE HOPKINS.

## THE BIRD THAT LAID THE VACCINATION EGG.

IN the terrible indictment of "Popular Government" drawn up by Sir Henry Sumner Maine, one of his chief counts is an alleged lack of reverence for scientific authority manifested by the populace, a contumacy of the profane and vulgar crowd against the fiat of the physicist—backed up, of course, by the legislator and the judge, the policeman and the jailer. There is, he says, "just enough evidence to show that even now there is a marked antagonism between democratic opinion and scientific truth as applied to human societies"; and he quotes with approval (while contending that the sarcasm is inadequate) one of Macaulay's "cock-sure" sentences, in which dissenters from the doctrine of "the immortal Jenner" are written down, in terse and unambiguous English, as fools, classed with the opponents of gas-lighting and railroads, and even with "the fools of an age anterior to the dawn of history" who—thus occupying an antipodal position in time to that of the celebrated New Zealander—"doubtless opposed the introduction of the plough and alphabetical writing."\* Complementary to this picture of anti-scientific folly, is that of the establishment of scientific truth drawn by Sir George Cornewall Lewis, who describes how "discoveries in medicine . . . which rest on a firm basis, as vaccination and the operation for

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\* *History of England*, Chap. III.

## THE HUMANE REVIEW.

eurism, are after a few years brought to a certain test, and take their way in all countries. Pseudo-sciences, on the other hand, are not accredited by the consentient reception of professional judges, but remain in an equivocal and unaccepted state."\*

Now let me say at once that to genuine science my allegiance is unbounded and unequivocal. It is necessarily authoritative; for the word "science" is simply Latin for "knowledge," and has come to mean systematized knowledge. To rebel against this is the sheerest imbecility, on the face of it. But when the matter in dispute is whether a given proposition or doctrine is true or false, to declaim against those who challenge it, as mutineers against science, is simply an audacious begging of the question. This is an old trick—if that can be called a trick which is mostly resorted to through persistency of bias and without any conscious effort to deceive. Priests have been very prone to denounce as enemies of religion all those who question their own particular theological conclusions; and physicists who regard this conduct from a lofty height of scientific contempt, have not been slow to do the same sort of thing.

The instance of popular anti-scientific obstinacy chosen by Sir Henry Maine is a very unfortunate one—for his argument. All that the conjoint forces of medical authority and political coercion could do, to silence and stamp out dissent, has been done; and, if scientific doctrines could be established in this way, the virtues of cow-pox inoculation would be settled as conclusively as the law of gravitation. But, though the bullying of magistrates, the imposition of fine and imprisonment, and the dogging of necessitous persons by obstacles placed in the way of their employment, may do much to produce submission, they can do nothing to demonstrate a scientific thesis. Nay, they are insuperable obstacles in the way of any such demonstration. Not thus can truth be made manifest or error slain. Do we need a Milton to teach us that it is only by the free and equal battling of opinion against opinion that we can hope to

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\* "The Influence of Authority in Matters of Opinion," p. 52.



determine in which direction truth lies? If vaccination can do any of the various things which have been claimed for it, this can be brought home to the intellect and the conscience of thinking men and women only by weighing it in a balance which has not been clogged by the whole power of the State being thrown into one of the scales—a balance in which nought save evidence weighs.

#### THE LOGIC OF VACCINATION.

What was the "certain test" to which this brutally enforced doctrine was brought? When we ask to-day for the evidence which demonstrates the efficacy of vaccination, we are almost always offered statistics. But the statistical argument is evidently not that on which vaccination was adopted; for the figures were not in existence till it had been in operation. The statistical argument is an after-thought, or at best but a confirmatory plea; and, as we shall see, it is powerless, in itself, to demonstrate the prophylactic efficacy of cow-pox inoculation. What, then, was the logical genesis of the vaccinationist doctrine?

In its origin, vaccination was a bit of folk medicine. Jenner was a medical practitioner at Berkeley, in Gloucester, and among the milkmaids there it was believed that if they caught cow-pox from the cows' teats, they would never afterwards catch small-pox. Jenner was disposed to adopt this article of the bucolic faith, but his fellow practitioners ridiculed it, as "most of them had met with cases in which those who were supposed to have had cow-pox had subsequently been affected with small-pox."\* Jenner was obliged for a time to abandon his adopted creed; but later he conceived a modification of it. Cows were sometimes milked by men whose hands were sore from a disease communicated by the ulcerous heels of horses, and the disease was communicated to the cows. According to Jenner's second thoughts it was this malady, and not the spontaneous cow-pox, which was prophylactic against small-pox. The advantage of this right-about-face is evident.

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\* Baron's "Life of Jenner," Vol. I., p. 48.

The new statement was not so easily verified as the old one. The cases of horse-grease cow-pox were comparatively rare, and their effects had not been discriminated from those of spontaneous cow-pox. The safety of dogmatism is in direct proportion to the difficulty of verification. Moreover, here was a delightfully easy way of accounting for mishaps. The "spurious" cow-pox doctrine—which was extended by Jenner in his later writings—could be credited with all failures to ward off small-pox. Armed with this doctrine, and the condition that the vaccination should be properly conducted, Jenner could safely promise that "the human frame, when once it has felt the influence of genuine cow-pox, is never afterwards, at any period of its existence, assailable by small-pox." The nearer one can get a doctrine to the form of an identical proposition, the less vulnerable—because the less assertive—does it become.

Jenner's first line of evidence was the experience registered in the beliefs of the Gloucestershire peasants; but he essayed another, and more direct, line of proof. Inoculation with small-pox had been in use since 1721. In order to show that vaccination protected against small-pox, Jenner inoculated patients with that disease, after vaccination. It was asserted that the result proved that such vaccinated persons had acquired immunity from small-pox. Now this so-called Variolous Test was honeycombed with fallacy. In the first place, many persons were not susceptible to inoculation. Insusceptibility in such cases was no proof whatever of the efficacy of vaccination. In the second place, it is said "that variolation was attempted before the complete subsidence of the vaccine fever. The inoculation with cow-pox had set up a serious constitutional disturbance; and, during that disturbance, the small-pox virus could not develop its malign energy."\* In the third place, it is contended that the variolation was of the mild kind in use in the later years of the practice, and that the result, after vaccination, was in no way different from what might have been expected, had there been no vaccination. In his excellent work, "A

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\* William White's *Story of a Great Deception*, p. 126.

Century of Vaccination and What it Teaches" (pp. 14-15), Dr. W. Scott Tebb says:—

"In 1796 Jenner vaccinated his first case, James Phipps. In less than seven weeks from the insertion of the cow-pox matter Phipps was inoculated with small-pox, with the result that 'the same appearances were observable on the arms as we commonly see when a patient has had variolous matter applied, after having either the cow-pox or the small-pox.'\*

"Now, the question is, What appearance did Phipps actually have on his arms as the result of the variolous test? And to guide us in forming an opinion, there is a letter of Jenner's to a medical man, Mr. John Shorter, who wrote to him about two cases in which he had applied the test six months after successful vaccination, with the result of producing a pustule at the seat of inoculation in each case. Jenner, in his reply, December 29th, 1799, says:—'Pray, recollect how seldom we find the skin insensible to the action of variolous matter in those who have previously gone through the small-pox. The cow-pox leaves it in the same state. The patients you mention were not insensible to the local action of the variolous virus.'† Thus, if the skin is seldom insensible to variolous matter after cow-pox or small-pox, and these cases of Shorter's are samples of the result, it seems not improbable that when Jenner applied the variolous test in the case of Phipps he got a local pustule at the seat of inoculation; for the same appearances, he says, were produced, as commonly observed, when variolous matter was applied to a person who had had either cow-pox or small-pox.

"Mary James‡ is another of the few cases Jenner is known to have subjected to the variolous test. This was applied eight months after vaccination, with the result of a local pustule, fever, and the faint appearance of a rash about the wrists; matter taken from the arm of this case produced small-pox when inoculated on her brother.

"To sum up the value of these tests. It amounts to this: that Jenner, in applying them, used a form of inoculation which produced little more than a local result, and the appearances he obtained were not very different from what would be produced by that form of inoculation when there was no question of cow-pox at all."

I do not propose to examine Woodville's application of the variolous test. It was, as Dr. Collins and Mr. Picton said, in their statement attached to the Report of the Royal Commission on Vaccination, "valueless as a scientific experiment." A full account of it is given in Dr. Scott

\* Jenner's *Inquiry*, p. 34.

† *Medical and Physical Journal*, Vol. III., p. 351. (April, 1800.)

‡ "Further Observations on the *Variolæ Vaccinæ*, or Cow-pox," pp. 34-36. Edward Jenner, M.D., F.R.S. London. 1799.

Tebb's book already cited, and in Dr. Charles Creighton's "Jenner and Vaccination."

This, then, was the evidence on which vaccination was adopted. But the attempt has since been made to bolster up the practice by statistics. What are these statistics? They are the tabulated results of conclusions each unit of which is a judgment of a supporter of vaccination. But if the individual judgment is in dispute, how can that dispute be settled by summing up such judgments? The most common statistical argument in favour of vaccination is a comparison of the death-rates of the vaccinated and the unvaccinated. This is open to fatal logical objections. First, the discrimination between these two classes is made by the vaccination marks. It is evident, on the face of it, that this process is one which easily lends itself to bias. Medical men are not a separate species of human beings, exempt from the *mentis gratissimus error*. On the contrary, probably owing to the empirical nature of their studies and the lack of good outside criticism, they are singularly liable to errors of judgment. And they are as little to be trusted as other men "if self the wavering balance shake."

Now is it likely that a hospital official, under the vaccinationist *régime*, will be unbiassed in the diagnosis of marks? Putting aside some awkward confessions which have been made by medical men, the result of the classification by marks is sufficient to discredit it. We are required to believe that the death-rate of the unvaccinated now is twice or three times as high as it was before the introduction of vaccination, and this in spite of the undoubted improvement in the treatment of small-pox.

Moreover, very few persons realize how much depends on the grouping of the figures. One needs to be a specialist in these matters in order fully to realize how absurd are the inferences of causation often made from casual grouping of statistics. For instance, if I were to put this problem :—

|              |     |     | Cases. |     | Deaths. |     | Deaths<br>per cent. |
|--------------|-----|-----|--------|-----|---------|-----|---------------------|
| Vaccinated   | ... | ... | 1,659  | ... | 259     | ... | 15'61               |
| Unvaccinated | ... | ... | 793    | ... | 184     | ... | 23'20               |



This shows a result apparently favourable to vaccination. Divide it into two groups, each of which is unfavourable to vaccination. Most persons would regard this as arithmetically impossible; but here it is:—

|                  | Under 2 years. |         |                     | Over 2 years. |         |                     |
|------------------|----------------|---------|---------------------|---------------|---------|---------------------|
|                  | Cases.         | Deaths. | Deaths<br>per cent. | Cases.        | Deaths. | Deaths<br>per cent. |
| Vaccinated ...   | 89             | 49      | 55·06               | 1,570         | 210     | 13·37               |
| Unvaccinated ... | 278            | 118     | 42·44               | 515           | 66      | 12·82               |

These figures are not imaginary ones, though, for the purpose of my argument, they would be conclusive even if they were so. They are from a Report of Dr. Leander Joseph Keller, Head Physician of the Austrian State Railways, and are quoted by Mr. Alfred Milnes, in his excellent pamphlet on "The Mitigation Theory of Vaccination." The key of the seeming paradox is a very instructive one. The vaccinated and the unvaccinated cannot be statistically compared in gross, because they are not similar in other respects than the one under investigation. Very young children, who largely contribute to the unvaccinated class, rarely recover from an attack of small-pox. "Therefore," says Mr. Milnes, "any system of comparison which should compare unvaccinated infants with vaccinated adults would obviously be misleading. Infants must be compared with infants, children with children, and adults with adults, if we are to arrive at any safe conclusions; in other words we must have the age-periods of the patients, or our statistics are unavailing."

#### THE PSYCHOLOGY OF VACCINATION.

So much for "the consentient reception of professional judges," which, as Sir George Cornewall Lewis tells us, enables us to distinguish between science and pseudo-science. But it is always worth while to trace how an error came to be accepted as truth; and in this case it is peculiarly instructive. The inoculation of small-pox was getting to be discredited, and the medical profession sorely needed a line of retreat. Now here was one, opened by Jenner, which enabled them, not only to disguise their

scientific discomfiture, but to continue the practice by which, to the difficult task of making the sick minority healthy, was added the much easier task of making the healthy majority sick. It has not been sufficiently noticed how enormously the system of prophylactic inoculation adds to the lucrative-ness of medical practice.

Jenner was contemptible as a scientific man, but he was a born diplomatist, in the less respectable sense of the term. The "master-stroke of boldness and cunning" by which he "placed the Latin name *variola vaccinae* first on his title-page, as if he were merely expressing in scientific form the universally accepted meaning of the colloquial name,"\* is indicative of the man.

This diplomatic faculty never deserted Jenner. It is seen in his intercourse with John Hunter, with Woodville, and elsewhere throughout his career. Few men have excelled him in the keenness with which he exploited the weakness of his fellow men. Probably no man ever obtained a great scientific reputation at a cheaper rate. How did he get this? Not by his medical degree. This simply represented an investment of £15. The scientific body which is responsible for the creation of Jenner's repute is the Royal Society. That august corporation, which had laughed at Benjamin Franklin's discoveries in electricity and repented its hilarity, admitted Jenner to its Fellowship on the strength of his paper on the cuckoo, which was read before the Royal Society in March, 1788, and was published in the *Philosophical Transactions*, Vol. 78. The chief new point in that paper was a discovery, a description of which, in his own words, I will now quote:—

"The cuckoo makes choice of the nests of a great variety of small birds. I have known its eggs entrusted to the care of the hedge-sparrow, water-wagtail, titlark, yellowhammer, green linnet, and winchat. Among these it generally selects the three former, but shows a much greater partiality to the hedge-sparrow than to any of the rest; therefore, for the purpose of avoiding confusion, this bird only, in the following account, will be considered as the foster-parent of the cuckoo, except in instances which are particularly specified.

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\* Dr. Creighton's *Natural History of Cow-Pox and Vaccinal Syphilis*, p. 157.

"When the hedge-sparrow has sat her usual time, and disengaged the young cuckoo and some of her own offspring from the shell,\* her own young ones, and any of her eggs that remain unhatched, are soon turned out, the young cuckoo remaining possessor of the nest, and sole object of her future care. The young birds are not previously killed, nor are the eggs demolished, but all are left to perish together, either entangled about the bush which contains the nest, or lying on the ground under it.

"On June 18th, 1787, I examined the nest of a hedge-sparrow, which then contained a cuckoo's and three hedge-sparrow's eggs. On inspecting it the day following, I found the bird had hatched, but that the nest now contained a young cuckoo and only one young hedge-sparrow. The nest was placed so near the extremity of a hedge, that I could distinctly see what was going forward in it; and, to my astonishment, saw the young cuckoo, though so newly hatched, in the act of turning out the young hedge-sparrow.

"The mode of accomplishing this was very curious. The little animal, with the assistance of its rump and wings, contrived to get the bird upon its back, and making a lodgment for the burden by elevating its elbows, clambered backward with it up the side of the nest till it reached the top, when, resting for a moment, it threw off its load with a jerk, and quite disengaged it from the nest. It remained in this situation a short time, feeling about with the extremities of its wings, as if to be convinced whether this business was properly executed, and then dropped into the nest again. With these (the extremities of its wings) I have often seen it examine, as it were, an egg and nestling before it began its operations; and the sensibility which these parts appeared to possess seemed sufficiently to compensate the want of sight, which as yet it was destitute of. I afterwards put in an egg, and this by a similar process was conveyed to the edge of the nest and thrown out. These experiments I have since repeated several times in different nests, and have always found the young cuckoo disposed to act in the same manner. In climbing up the nest it sometimes drops its burden, and thus is foiled in its endeavours; but after a little respite the work is resumed, and goes on almost incessantly till it is effected. It is wonderful to see the extraordinary exertions of the young cuckoo, when it is two or three days old, if a bird be put into the nest with it that is too weighty for it to lift out. In this state it seems ever restless and uneasy. But this disposition for turning out its companions begins to decline from the time it is two or three till it is about twelve days old, when, as far as I have hitherto seen, it ceases. Indeed, the disposition for throwing out the egg appears to cease a few days sooner; for I have frequently seen the young cuckoo, after it had been hatched nine or ten days, remove a

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\* The young cuckoo is generally hatched first.

nestling that had been placed in the nest with it, when it suffered an egg, put there at the same time, to remain unmolested. The singularity of its shape is well adapted to these purposes; for, different from other newly-hatched birds, its back from the scapulæ downwards is very broad, with a considerable depression in the middle. This depression seems formed by nature for the design of giving a more secure lodgment to the egg of the hedge-sparrow, or its young one, when the young cuckoo is employed in removing either of them from the nest. When it is about twelve days old this cavity is quite filled up, and then the back assumes the shape of nestling birds in general."

More than a century has passed away since this more than Irish-landlord power of eviction in the newly-hatched cuckoo was first discovered, together with that Atlas-like conformation of its back, which, as Darwin tells us, "has been boldly called a beneficent arrangement, in order that the young cuckoo may get sufficient food, and that its foster-brothers may perish before they had acquired much feeling!" In a previous edition of this essay, I adopted the conclusion of Dr. Norman Moore that Jenner had been hoaxed in this matter. Not only did Waterton, the renowned naturalist, and Dr. Charles Creighton in his "Jenner and Vaccination," pour scorn on Jenner's supposed discovery, but Dr. Norman Moore, who may be regarded as counsel for the defence, threw up his brief on this point. In the notice of Jenner, in the *Dictionary of National Biography*\*—in the course of which he says that Jenner's discovery of vaccination "has in the past hundred years saved innumerable lives throughout the world, and entitles him to a place in the first rank of those who have improved the art of medicine"—he also says of Jenner's paper read before the Royal Society:—"The peculiarities of the cuckoo's habits are ably discussed, but the account of the cuckoo removing the young hedge-sparrows is clearly not the result of Jenner's own observation, and Waterton ('Essay on the Jay') has demonstrated its absurdity. The explanation appears to be that Jenner employed a boy, his nephew Henry, to make these observations, who, too indolent to watch, gave an imaginary report."

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\* Vol. XXIX., p. 321.



There can, however, now be no reasonable doubt that Jenner's nephew—if employed for this purpose—did not deceive his uncle as to the *rôle* he attributed to the young cuckoo. But, as Dr. Creighton very justly says, "Dr. Jenner's paper would never have been remembered but for the element of marvel in it;" and it was the short time which elapsed between the hatching of the bird and its ejaculatory performances which was the chief, though not the only, astonishing part of the matter. But, fact or fable, it was the report of the doings of this bird which opened for the narrator the path to fame and riches. This cuckoo, born on the 18th or 19th June, 1787, is undoubtedly the Bird that laid the Vaccination Egg. Upon its diminutive back—of which it may be said, in the words of Hosea Biglow, that "a marcifful Providunce fashioned" it "holler"—it bore the scientific reputation of "the immortal Jenner." Upon this rested "the consentient reception" of the vaccination doctrine by "professional judges" and "all countries." Upon this, again, was reared that system of legal coercion and State-established propagation of disease which has resulted in millions of operations per annum, with fees to doctors, manufacture of and trade in inoculational appliances, the establishment of an official class committed to the production of apologetics in its defence, the extension of the system by Pasteur and Koch, cultivation of "pure lymph" and attenuated virus, torture of the lower animals in this process, the hunting down of dissenters, occupation to policemen, boards of guardians, magistrates, jailers, members of Parliament, royal commissioners, voluntary associations, authors, printers, publishers, papermakers, &c., &c. The vastness of the fabric which has been built on the back of this poor little animal is truly amazing.

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When will that fabric fall? Small-pox inoculation lasted nearly a century and a quarter, till it was turned from a sovereign prophylactic into a penal offence, by the Act of 1840. Will vaccination last as long?

J. H. LEVY.

## REVIEWS.

*Mutual Aid: a Factor of Evolution.* By P. KROPOTKIN.  
(Wm. Heinemann, Bedford Street, London, W.C. 7s. 6d.)

Of all the objections that are made to the progress of humanitarianism, the commonest, and the most formidable, as being most deeply rooted in the popular mind, is that which is summed up in such "scientific" formulas as "the struggle for existence," "the survival of the fittest," and other kindred shibboleths of the Darwinian school. Humanitarians, according to this doctrine, are opposed to the stern facts of life, it being the law of Nature that all animals should prey on one another in internecine conflict; so that it is only natural—and therefore only just—that man should in turn prey on the other animals, and also, presumably, on his fellow men. Everyone who, during the past quarter century, by word spoken or written, has advocated the humanising of our social conditions, can bear witness to the prevalence of this almost insurmountable prejudice, which, in the guise of a scientific dogma, has again and again been utilised by the opponents of humane ideas to discourage the sympathies of reformers. Attributed to Darwin, this "pitiless struggle" theory was in fact more due to the writings of Huxley than of any other man, and was caught up and popularised by Tennyson in his mischievous apothegm of "nature red in tooth and claw"—the impression being conveyed that the natural state is *wholly* one of competition.

It will be remembered by many of our readers that great interest was aroused by the remarkable series of articles on

"Mutual Aid," which were contributed by so distinguished a man of science as Prince Kropotkin to the *Nineteenth Century* between the years 1890 and 1896, as a corrective of this Huxleyan perversion of evolutionary doctrines, and that at a crowded meeting held by the Humanitarian League in November, 1896, a lecture was given by Prince Kropotkin on this very subject of "Natural Selection and Mutual Aid," in which it was pointed out that so-called Darwinism is now-a-days made responsible for every sort of barbarity. These articles are now reprinted in a revised and enlarged form, in the volume before us, the importance of which, in its bearing on humanitarian problems, can hardly be overstated.

That the exaggerated view taken of the conception of struggle for existence is a misapplication of Darwin's own writings is clearly shown by Kropotkin in the early pages of this book :

"It happened with Darwin's theory as it always happens with theories having any bearing upon human relations. Instead of widening it according to his own hints, his followers narrowed it still more. . . . They came to conceive the animal world as a world of perpetual struggle among half-starved individuals, thirsting for one another's blood. They made modern literature resound with the war-cry of *woe to the vanquished*, as if it were the last word of modern biology. They raised the 'pitiless' struggle for personal advantages to the height of a biological principle which man must submit to as well, under the menace of otherwise succumbing in a world based upon mutual extermination. . . . We must recognise that even the most authorized exponents of Darwin's views did their best to maintain these false ideas. In fact, if we take Huxley, were we not taught by him that 'from the point of view of the moralist, the animal world is on about the same level as a gladiator's show.' "

In the chapter on "Mutual Aid among Animals" it is demonstrated by a great number of well-authenticated facts that even in the less developed forms of life, and increasingly so as the scale rises, is combination practised; so that mutual aid is a very substantial element in existence, and not for utilitarian purposes only, but for the simple enjoyment of life.

"Don't compete!—competition is always injurious to the species, and you have plenty of resources to avoid it. That is the *tendency* of nature, not always realized in full, but always present. That is the watchword which comes to us from the bush, the forest, the river, the ocean. Therefore combine—practise mutual aid! That is the surest

means for giving to each and to all the greatest safety, the best guarantee of existence and progress, bodily, intellectual, and moral."

And what is true of animals is proved also to be true of savages; the application of the law of mutual aid to mankind being only a continuance of its earlier phase. The "noble savage" of the Rousseau school was an exaggeration, but not so gross an exaggeration as the brutal savage of the scientist.

"In the last century the 'savage' and his 'life in the state of nature' were idealized. But now men of science have gone to the opposite extreme, especially since some of them, anxious to prove the animal origin of man, but not conversant with the social aspects of animal life, began to charge the savage with all imaginable 'bestial' features. It is evident, however, that this exaggeration is even more unscientific than Rousseau's idealization. The savage is not an ideal of virtue, nor is he an ideal of 'savagery.'"

Then the law of mutual aid is traced onward and upward from the savage to the barbarian, from the barbarian village to the medieval city, and thence to our own times—the deduction being that all the elements of morality are inherent in nature if we would but study them.

Incidentally we find some interesting remarks in the book on such customs as those of warfare, capital punishment and cannibalism. It is shown how the life of the savage is divided into two sets of relations—those *within* the tribe, and those with mere outsiders—and how, when wars arise, the most revolting cruelties may be considered even praiseworthy. "This double conception of morality," says Prince Kropotkin very significantly, "passes through the whole evolution of mankind, and maintains itself till now." Certainly the events of the last few years have illustrated it!

The death-penalty, in like manner, is traced to the practice of blood-revenge. "All savages are under the impression that bloodshed must be revenged by blood. If anyone has been killed, the murderer must die; if anyone has been wounded, the aggressor's blood must be shed. . . . That is the savage's conception of justice—a conception which yet prevails in Western Europe as regards murder."

Cannibalism is regarded by Kropotkin as having been brought into existence by sheer necessity and further developed by superstition. "If we transport ourselves to the conditions which man



had to face during the glacial period, in a damp and cold climate, with but little vegetable food at his disposal; if we take into account the terrible ravages which scurvy still makes among underfed natives, and remember that meat and fresh blood are the only restoratives which they know, we must admit that man, who was formerly a graminivorous animal, became a flesh-eater during the glacial period."

But what, it may be asked, is the underlying motive of this mutual aid which Kropotkin has established so incontrovertibly? On this point he has some very interesting remarks both in his Introduction and in his Conclusion.

"Love, sympathy, and self-sacrifice certainly play an immense part in the progressive development of our moral feelings. But it is not love, and not even sympathy, upon which Society is based among mankind. It is the conscience—be it only at the stage of an instinct—of human solidarity. It is the unconscious recognition of the force that is borrowed by each man from the practice of mutual aid; of the close dependence of every one's happiness upon the happiness of all; and of the sense of justice or equity, which brings the individual to consider the rights of every other individual as equal to his own. Upon this broad and necessary foundation the still higher moral feelings are developed. . . . In the practice of mutual aid, which we can retrace to the earliest beginnings of evolution, we thus find the positive and undoubted origin of our ethical conceptions; and we can affirm that, in the ethical progress of man, mutual support—not mutual struggle—has had the leading part. In its wide extension, even at the present time, we also see the best guarantee of a still loftier evolution of our race."

It might be questioned, we think, whether the sense of human solidarity (and not *human* solidarity only, but the solidarity of all sentient life) is not ultimately identical with sympathy and love—at any rate with the wider and deeper love which transcends the personal—the *menschenliebe* which Schopenhauer assumed as one of the two cardinal virtues. But however that may be, there can be no doubt that Kropotkin's masterly work on "Mutual Aid" will be of immense service to all those who are fighting in the cause of humanity and freedom. It is a book with which no humanitarian lecturer or writer should omit to arm himself.

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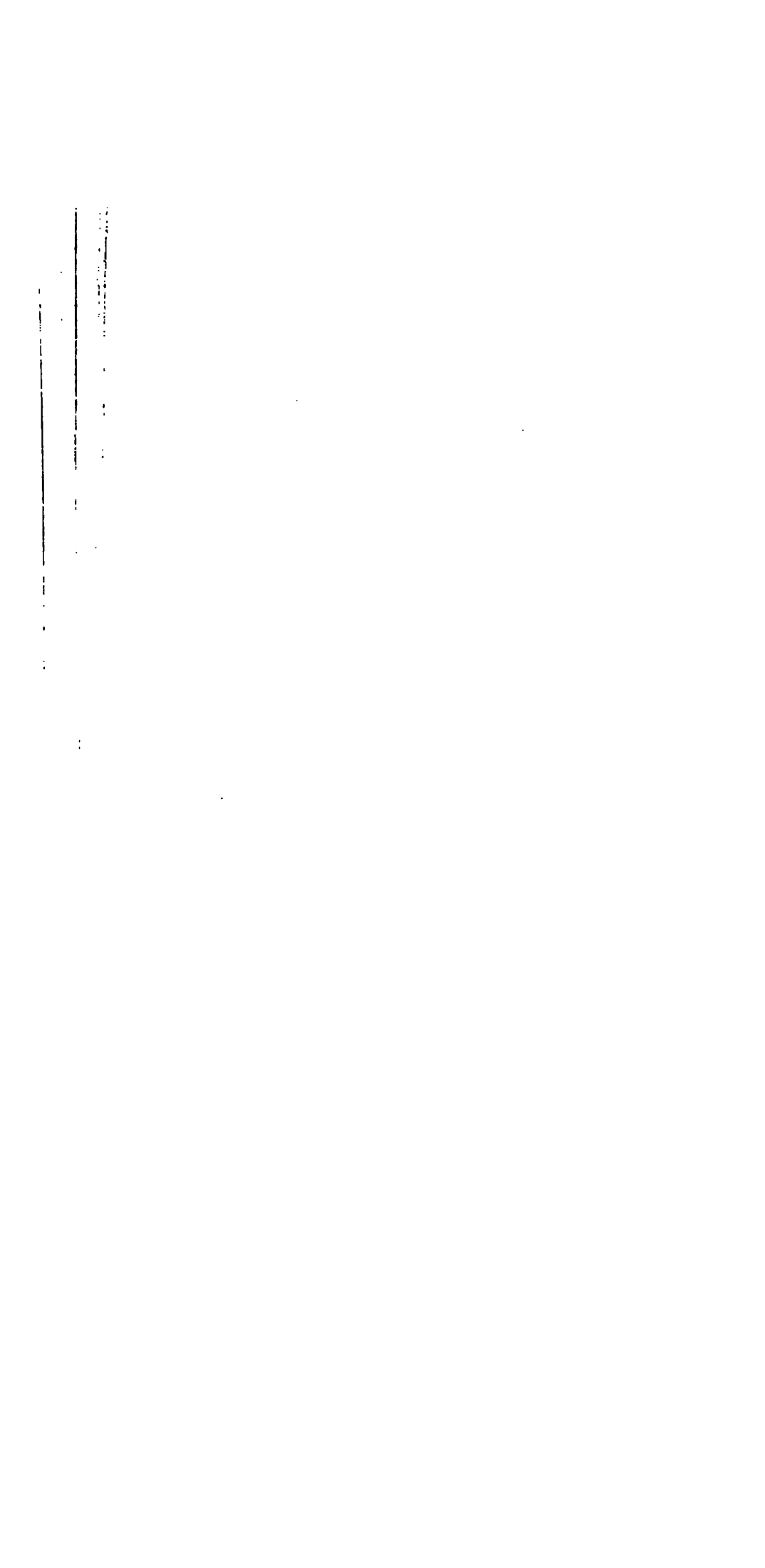
*Who Shall Command the Heart: Being Part IV. of Towards Democracy.* By EDWARD CARPENTER. (Swan Sonnenschein

and Co. Paternoster Square, London, and S. Clarke, 53, Sackville Street, Manchester. 2s. 6d. net.)

The really noteworthy things in life usually happen quietly; and it is fully in accordance with this rule that after all the "publishers' announcements" for the autumn and winter season—the "important forthcoming works" whose titles have been flung into our minds for the past three months in a host of catalogues and prospectuses—there should now come to our table, unblazoned and unannounced, this modest little volume, which nevertheless forms the fourth and presumably concluding section of one of the most remarkable works of genius that have been published in recent times. It is impossible for us with the brief space at our disposal, to attempt to review "Towards Democracy" or any component portion of it—it may be doubted, indeed, whether the poem (for we regard it as essentially a poem) can ever be "reviewed" at all, except in the sense in which we review the streams or the fields or the stars, or any other natural and elemental phenomena—but it may be said that many of the poems comprised in "Who Shall Command the Heart" are, as the title suggests, of a somewhat tenderer and less impersonal character than those which preceded them, and have something of the familiar tone of the friend and comrade speaking to those with whom a faithful understanding has been established. And here we may opportunely quote from a little periodical which has simultaneously reached us, entitled *The Free Comrade*, edited and in this case apparently written by Mr. J. William Lloyd (P. A. Ballou, Wellesley Hills, Massachusetts), the October number of which is devoted to a very able and sympathetic study of Carpenter's genius. What Mr. Lloyd says of Carpenter's works in general is eminently true of "Who Shall Command the Heart."

"There is a sort of *soul-music* in Carpenter, not found to the same extent, I believe, in any other writer—the constant dominance and presence of human love. . . . He hardly thinks of expression. he forgets art, he forgets music, he almost finds it hard to remember Nature, so imperiously is he compelled to remember men. No matter how deformed, mistaken, sinning, disgusting, he must love, love, and over-love everything human. When he hears the wind, it whispers to him with human voices; when he looks out on his beloved sea, the waves are white with human faces; the moonlight rebounds, sparkling from innumerable wistful, wondering, awed, tearful, yearning, suffering,

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loving human eyes. The animals, the flowers, are to him only human infants, not yet consciously born. Everything means man; the hunger for love of man; the imperious need of man; the coming, becoming destiny of man. That Christ-spirit, which is human love, never possessed any flesh-bodied soul more absolutely than that of Edward Carpenter. He is the Social Conscience incarnate."

To anyone who has not studied Carpenter's writings, and is desirous to do so, we would say, read first the prose volume on "Civilization, its Cause and Cure," which contains in a clearly expressed form the gist of his teaching, and then read "Towards Democracy," which contains—himself. The other works are supplementary and illustrative of these two.

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*Success.* By R. B. CUNNINGHAME GRAHAM. (Duckworth & Co., Henrietta Street, London, W.C. 1s. 6d.)

A study of the score or so of short stories contained in this little volume must set a thoughtful critic wondering why it is that the reading public is still so little aware of the brilliant literary powers and great personal charm of Mr. Cunningham Graham. For in spite of a careless and at times almost slovenly style (aggravated by an apparent indifference to correct punctuation) Mr. Graham is irresistible when at his best, and simply carries his readers along with him by the sheer strength and picturesqueness of his descriptions. Intensely alive himself, he makes every detail of a scene stand before us with the utmost vividness; and this not by laborious narrative, but by the few rapid touches which are the sign-manual of the master.

Presumably the unconcealed contempt with which Mr. Graham regards the great modern fetiches of civilization and respectability has not conduced to a due recognition of his merits as a writer. "Our progress," he tells us, "makes commercial travellers of us all, and takes away the primeval joy in sun, in wind, in divine idleness, the first and greatest gift that Nature ever gave to man." But the idol which is the special butt for Mr. Graham's satire in the volume under review is "success," which to him is always as provocative of scorn as failure is of sympathy. The book is indeed the apotheosis of failure, which is exhibited to the reader in various forms and types, individual and national, but always with tenderness and respect. "For those who fail," says the author, "for those who have sunk still battling beneath the

muddy waves of life, we keep our love, and that curiosity about their lives which makes their memories green when the cheap gold is dusted over, which once we gave success. How few successful men are interesting! Failure alone can interest speculative minds."

Nor is the failure which Mr. Graham celebrates the same as that which Browning dealt with in "Rabbi Ben Ezra"—the *seeming* failure which knows itself in a higher sense to have succeeded—nor is it that *present* failure which is the earnest of future victory, as when Thoreau wrote of castles in the air, "That is where they should be: now put the foundations under them." It is failure *as* failure, unconsolated by any philosophic reflections, that Mr. Graham depicts for us; and it is this sympathetic interest in thwarted lives and lost causes—this compassionate preference for "the under-dog in the fight"—that gives a humane tone to so many of his writings. Of especial interest to humanitarians is that chapter of "Success" in which a matchless description is given of a chapel service in a prison, when the stern penal silence is for a time relaxed in the pious ejaculations of the hymn-singing.

"'Dearly Beloved' seemed a little forced, our daily skilful scarce a matter worth much thanks; the trespasses of others we forgave, thinking our own were all wiped out by our mere presence in the place; the Creed we treated as a subject well thrashed out; 'Prisoners and Captives' made us all feel bad; the Litany we roared out like a chant, calling upon the Lord to hear us in voices that I feel He must have heard; epistle, gospel, collects we endured, sitting as patiently as toads in mud, all waiting for the hymn. The chaplain names it, and the organ roars, the organist rocks in his chair, on every brow the perspiration starts, all hands are clenched, and no one dares to look his neighbour in the eyes; then like an earthquake the pent-up sound breaks forth, the chapel quivers like a ship from stem to stern, dust flies, and loud from every throat the pious doggerel peals. And in the sounds the prison melts away, the doors are opened, and each man sits in his home, surrounded by his friends, his Sunday dinner smokes, his children all clean washed are by his side, and so we sing, lift up our hearts and roar vociferously (praising some kind of God), shaken, inside and out, yelling, perspiring, shouting each other down. Old lags and forgers, area sneaks, burglars, cheats, swindlers, confidence trick men, horse thieves and dog stealers, men in for rape, for crimes of violence, assault and battery, with 'smashers,' swell mobsmen, blackmailers, all the vilest of the vile, no worse perhaps, if all were known, than are the most immaculate of the good, made human once again during the

sixteen verses of the hymn, and all the miseries of the past week wiped out in the brief exercise of unusual speech."

Together with the keen insight and mercilessly analytical power with which Mr. Graham rends the conventional shams of civilization, there abides a strong humaneness, not towards mankind only but all sentient beings. Here is a suggestive passage, for instance, taken from a description of an old Gaucho woman of La Plata:

"From her youth upwards she had seen blood shed as easily as water; had seen the uncomplaining agony of the animals under the knife, observing 'pobrecito' when a lamb's throat was slowly cut, and then (being a Christian, and thus of a different flesh to that of the beasts) hurrying up quickly to assist in taking off its skin. Like most of us, her own impulse was pitiful, but yet not strong enough to stand against the universal cruelty which habit has rendered second nature to the most tender-hearted and the kindest of mankind."

One of the sketches in the book, entitled "London," the story of a Cingalese girl, appeared originally in *THE HUMANE REVIEW*. "Success" is the fourth volume in the *Greenback Library*, the editor of which is to be congratulated on having secured two such noteworthy contributors as Mr. W. H. Hudson and Mr. Cunningham Graham.

*Thoreau the Poet-Naturalist.* By WILLIAM ELLERY CHANNING. New edition, enlarged, edited by F. B. SANBORN. (Charles E. Goodspeed, Park Street, Boston, Mass. \$2.00.)

*Daniel Ricketson and his Friends.* Edited by his daughter and son, ANNA and WALTON RICKETSON. (Houghton, Mifflin & Co., Cambridge, Mass.)

We have spoken more than once in *THE HUMANE REVIEW* of the flowing tide of Thoreau literature, and we have now to chronicle two more volumes which will be of the greatest interest to students. "Thoreau the Poet-Naturalist," the biography of Thoreau written by his poet friend Ellery Channing, and published in 1873, has long been out of print, and the appearance of a new edition in handsome form, with introduction and notes by Mr. Sanborn, is therefore the more welcome. Of all the eccentric productions of the whimsical Channing this is surely the strangest.



—at once the delight and the despair of Thoreau lovers—revealing Thoreau's personality now and again in a few lines of portraiture unmatched for insight and vividness, and then concealing it by pages and chapters of wholly irrelevant matter which causes the bewildered reader to look again at the title of the book in questioning wonderment. Nevertheless the work is a classic in its way; and with Mr. Sanborn's instructive Preface it is now more possible than heretofore to see a glimpse of daylight through the mists of Channing's imagination.

"Daniel Ricketson and his Friends," on the other hand, is a model of careful workmanship, a worthy tribute paid by son and daughter to their father's memory, and to the memory of the friend (among many friends) with whose name the subject of the memoir would have wished his own to be associated. Mr. Daniel Ricketson, of New Bedford—the "Mr. D. R." of Thoreau's "Letters to Various Persons," edited by Emerson in 1865—was one of the most talented and lovable members of Thoreau's circle, and the letters addressed to him by Thoreau are some of the very best that "Mr. Walden," as Ricketson calls him in their delightful correspondence, ever wrote. We rather regret that Mr. Sanborn's "Sketch of Daniel Ricketson," with which the volume opens, is so brief; but to Thoreau students the book is a very mine of valuable matter throughout, supplementing as it does, by its publication of Ricketson's correspondence with Thoreau, Sophia Thoreau, Alcott, Channing, and other Concord folk, and by a number of extracts from Ricketson's and Thoreau's journals, the somewhat sparse and scanty selections that had already seen the light. Not only are we given a new view of Concord life, in the time of Emerson and Thoreau, but the story is carried on, after the date of Henry Thoreau's death, in Sophia Thoreau's admirable and moving letters, thus greatly increasing, in our opinion, that sense of irreparable personal loss with which the story of Thoreau's death has affected so many of his admirers. No better antidote could be desired for the malignant misrepresentations of certain contemporary writers than this entirely sincere and truthful record of the impression created by Thoreau *as he was*, on one whose sympathetic yet proudly independent nature made his judgment a peculiarly valuable one.

That Daniel Ricketson himself was a man not only of fine literary taste but of the highest and most humane aspirations,



may be gathered from many passages in this book, among them the following :—

"I hope," he wrote in 1853, "to live to see slavery, that sum of all wickedness, abolished from our land, the quarrels of nations settled by arbitration, and war to become obsolete, the factory system to become so ameliorated that the poor and suffering operatives of the present day shall be released from their thralldom, and the suffering poor of the old world, the little children here and there shut out from the beautiful influences of life and nature, set at liberty to enjoy fresh air and wholesome food; when the gallows shall be no longer seen, and the prisons and dungeons of the old world and our own become comparatively tenantless; when the domestic animals, particularly the horse, shall be far better treated," &c.

Dying at a good old age in 1898, Mr. Ricketson had seen at least a portion of his hope accomplished. It is of interest to note that in one of his latest published letters, at the age of 81, he speaks with appreciation of the Humanitarian League's volume on "Animals' Rights" as "a grand contribution to the cause of humanity, as well as the higher culture of a pure and practical religion."

Among the notable features of this handsome memorial volume, "Daniel Ricketson and his Friends," are the illustrations, which include a very delightful pencil sketch of Thoreau as he presented himself in walking costume at the door of Ricketson's house in 1854. The two portraits of Mrs. Louisa Ricketson are extremely beautiful. The book will be treasured by all who love Thoreau's memory.

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*Theosophy and Imperialism.* A Lecture by Annie Besant. (London: The Theosophical Publishing Society. 6d.)

We have so great a respect for Mrs. Besant, and for the good work she has done, that we regret to find her giving her sanction, even in the qualified terms of this pamphlet, to the craze known as "imperialism," which, if names mean anything, and if facts mean anything, is the lordship of one race over another by physical force. The praiseworthy object of the lecture is to show that national greatness resides "not in the force that conquers but in the justice that protects, and that no empire can be great unless that empire be founded on brotherhood, on righteousness, and on truth." But how "empire" (viz., the "imposition" of one nation's will on another) can conceivably be *founded* on brother-

hood, Mrs. Besant does not attempt to show; indeed by expressing a pious hope that British Imperialism "shall be the *best* of the empires of the world to exist for the good of those whom it rules," she implicitly admits that the empire which she advocates has never yet existed on the face of the earth. What right, then, has she to say that a statement which she quotes from a London paper—"We took India by the sword and we must hold her by the sword"—is "not the imperial spirit." It is the imperial spirit; for it expresses what the word imperialism has always meant both actually and etymologically; and in our opinion a great responsibility rests on those writers who, with the best intentions, play with these dangerous catch-words, as Mrs. Besant does in this pamphlet, without accurately defining them. The only concrete instance which Mrs. Besant gives of a beneficent empire is that of Egypt. "There," she says, "I think England may fairly say that she has governed the country for the people of the country and not for her own profit." But surely Mrs. Besant forgets that our occupation of Egypt is itself founded not only on a forcible seizure of territory which did not belong to us, but on a most shameless breach of the pledges given to other Powers—a queer basis for "brotherhood."

The truth of course is that if we introduce *moral* considerations at all into the question of our empire, we cannot limit them, as Mrs. Besant does, to the after-treatment of the conquered territory: we must apply them equally to the original seizure of that territory, and inquire not only what we are going to do with it in the end, but how we came by it in the beginning. We are amazed to see that Mrs. Besant totally ignores this vital point in the pamphlet on "Theosophy and Imperialism." She has apparently not a word of condemnation for the iniquitous war of conquest recently concluded in South Africa, but writes of it in that cheaply optimistic tone which to our mind is one of the worst symptoms of the present public temper:

"In South Africa we have seen the wrath, the ambition, the sins of men, turned to world-purposes and lofty ends by the Ruler who guides the destinies of nations. Common sacrifices, common losses, common triumphs, have made Britain and Greater Britain one. Strenuous struggles, hard-fought battles, prolonged wrestlings, have taught Briton and Boer to respect each other."

It is strange, too, that Mrs. Besant should speak of signs of depravity in England *before* the war, and "a few years ago," as if

she really had some expectation that the crime enacted in South Africa would improve the public morals. "Before the war Britain was growing too luxurious, she was growing too pleasure-loving." Has Mrs. Besant any belief that the plutocrats in particular who engineered the war, and the idle rich in general who supported it, are now developing into simple-living, public-minded, unselfish citizens?

Even the "Pax Britannica," that crowning fallacy of fallacies in the imperialist stock-in-trade, seems to have some attraction for Mrs. Besant; for she writes of "a federation so strong of peace-loving nations that they would be able to impose peace upon the world because none would be strong enough to break it." Alas! we fear that a peace "imposed" upon an unwilling world by force of superior armaments would prove, like the rest of imperial blessings, to be somewhat of an "imposition."

A choice is now offered to Great Britain, according to Mrs. Besant's argument, between a mere brute force on the one side and a worthily governed empire on the other. With all the excellent things that Mrs. Besant says of the responsibilities of power we heartily agree; but we hold that the choice before us is a much deeper and more serious one than that propounded in her lecture, and that we have to consider not only the duties that imperialism has brought in its train, but the morality of imperialism itself. To say, as Mrs. Besant does, "Let us have an Imperialism, but let it be one of righteousness, of justice, of love, and of truth," seems to be much the same thing as to say, "Let us have a Burglary, but let it be righteous, just and charitable in its distribution of the spoils." To talk of imperialism *plus* brotherhood is a contradiction in terms. The very principle of imperialism is the negation of brotherhood. Brotherhood is not empire, but freedom; and the only "empire" which a free individual or a free nation can legitimately practise is that which lords it over self. "*Sapiens, sibi qui imperiosus*"—the wise man who is an imperialist *over himself*—such was the old Stoic maxim. Imperialism, like charity, should begin at home; and, unlike charity, it should end there.

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*The Moral Damage of War.* By WALTER WALSH, Gilfillan Memorial Church, Dundee. (R. Brinley Johnson, London.)

We sympathise so deeply with the spirit and leading purpose of Mr. Walsh's book, and we so fully agree with what he says of

the moral damage done by war, both to the nation and the individual, that we much regret that we cannot endorse the argument of his opening chapter, viz., that the appeal to pity, to reason, and to utility having failed, we must now fall back on the appeal to Christianity, and brand all warfare as a "sin." "Every other argument," he says, "has had fair trial." But surely "the appeal to Jesus" has had more "fair trial" in the past than all the other appeals put together!

Nor can we for a moment admit that the appeal to pity and reason has failed—in the sense suggested by Mr. Walsh—or that it is useless to look to "the spread of general enlightenment" for the abolition of the sword. On the contrary, we believe that the strong protest made against the recent war (a protest in which Mr. Walsh bore an honourable part) was in itself a proof of the growth of a better moral feeling on the subject, and an earnest that the minority of to-day will be the majority of a future time. We cannot expect to travel at a bound from barbarism to civilisation, but we *can* hope that we shall gradually emerge from our present savage state into something more resembling a humanised society. This will not be effected by branding war (in particular) as "a crime," but by the gradual recognition that a great number of barbarous customs, of which war is but one, are wholly unworthy of the better conscience of mankind. Humanitarianism, we would point out, is a very much deeper and larger principle than the mere "pity" with which Mr. Walsh seems to identify it. His statement that the moral evils of warfare "are more horrifying to the enlightened Christian consciousness than the dying groans of the stricken can be to the corporeal nerve of the humanitarian"—implying that the humanitarian is concerned only with the *physical* aspect of the question—is a strange misunderstanding. Humanitarianism is concerned not only with compassion but with justice, and protests not only against corporeal suffering, but against the moral injuries of which the whole community is the victim when it is responsible for the needless infliction of pain. With this reservation we cordially commend "The Moral Damage of War" as a most valuable and timely work.

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*The Curious and Diverting Adventures of Sir John Sparrow, Bart., or the Progress of an Open Mind.* By HAROLD BEGBIE. (Methuen and Co., Essex Street, W.C. 6s.)



*Odd Rhymes.* (Ideal Publishing Union, Paternoster Row. 1s.)

These two books, both of which are chiefly concerned with the diet question, may be conveniently reviewed together, as typical of opposite frames of mind, and therefore to some extent related to each other—the one being a satire on the comical aspect of the new dietary, the other on the comical aspect of the old; the one a skit on the vegetarian idealist, the other on the flesh-eating Philistine. Let us deal with Sir John Sparrow first.

Mr. Harold Begbie is undoubtedly a clever writer, and has come to the fore during the last two or three years as the “handy man” of Tory journalism in the *Globe* and other “patriotic” papers of the beefy and imperialistic school. No wonder, then, that he should launch a bolt at the “faddism” of the food-reformers, whose eccentricities and angularities are so wholly incompatible with what may be called the *Globular* temperament, the philosophy of the “fair round belly with good capon lined,” which is so comforting to those who monopolise the good things of life, regardless of the cost to others. In Sir John Sparrow he has sketched a sort of humanitarian Mr. Pickwick, whose “open mind” leads him into various untoward adventures among the “cranks” who surround him.

“Here was a man who had discarded meat-eating to take up with vegetarianism, who had flung over vegetarianism for fruitarianism, who had abandoned fruitarianism for the seed and pip theory; a man, moreover, who had bartered a practical religion for the elusive imaginings of theosophy; who had lost all sense of patriotism, who had espoused communism, and who had even put off the venerable trappings of modern civilisation.”

A terrible catalogue, in truth! Without following the comical adventures of this “progress of an open mind,” it is sufficient to say that Sir John Sparrow, “having run the gamut of modern crotchets,” ends by finding himself “in a fit state of mind to settle down to comfortable normality”—that is, he renounces the angular for the Globular view of life, the oddities for the proprieties, drops his food reform and other heresies, and relapses into the comfortable conventionality of an orthodox country gentleman.

If we say that we are somewhat disappointed with Mr. Begbie’s comedy, it is not because we resent the attempt to make fun out of humanitarian foibles, but because we think the story might have been much funnier than it is. Undoubtedly there is matter

for genuine merriment in the incongruities, inconsistencies, and absurdities to which all schools of reformers (being human) are necessarily liable. But without pausing to insist that a good deal of Mr. Begbie's satire is rather forced and pointless, we would remind him, and all whom it may concern, that there is another side to the picture, and that flesh-eating, no less than vegetarianism, has its vulnerable side for the humourist. Here it is that the volume of satirical poems entitled "Odd Rhymes" is a useful antidote to "Sir John Sparrow," as showing that the comic spirit is not monopolised by the kreophagists—indeed, we venture to say that many of these "Odd Rhymes," regarded from the literary standpoint alone, and without any reference to ethics, are much superior in all the qualities of satire to anything in Mr. Begbie's novel.

The New must ever seem laughable to the Old, and the Old to the New; but we suspect that, as between vegetarianism and flesh-eating, the laugh will ultimately be on the vegetarian side; for surely, if it be once recognised that there is an abundance of nourishing food in the vegetable kingdom, there can be no greater ineptitude than to persist in eating one's fellow-creatures! The innumerable Sir John Sparrows who do *not* cultivate "an open mind" on such questions are convicted of much greater absurdities than the few who do.

Again, the author of "Odd Rhymes" has very clearly anticipated Mr. Begbie's fallacious assumption that food-reform, or reform in general, is an act of penance and self-sacrifice. Speaking, in his Preface, of Edward Fitzgerald as vegetarian, he says very truly: "He could not do otherwise. He was not ascetic but æsthetic. He did not deny himself flesh meat; he could not bring himself to eat it." This, of course, is the spirit of all true reformers; and it is in direct contrast with that of Mr. Begbie's baronet. Here is what is said of Sir John Sparrow's vegetarianism:—

"Beloved reader, do you understand? He has been longing all this time to make a martyr of himself; he has been seeking for some altar whereon to sacrifice himself. And behold it is here. . . . Give up, give up! Deny thyself! Be different from the rest of the world! In other words, go and hang thyself."

"Truth," the baronet is elsewhere made to say, "must be sought painfully." And describing a glorious morning, Mr.

Begbie remarks: "It was not the sort of morning that tempts one to set about reforming his fellows." No misunderstanding of the typical reformer's temperament could be more complete. It is precisely the sense of the great beauty and joy of life, and of the sunny earth, that prompts men to try to remedy a few of the wretched evils with which they have afflicted themselves. If Sir John Sparrow is intended to represent the bogus reformer—the nincompoop who takes up and drops the new ideas without in the least understanding them, well and good; though on the face of it that does not appear to be Mr. Begbie's view of him. If he is meant to represent the genuine reformer, he is a very sorry caricature.

But it will be asked *who* is the anonymous vegetarian author of these "Odd Rhymes" whom we have ventured to set up against the veritable Mr. Harold Begbie of Tory journalist fame? That is a secret which—if we knew it—wild horses should not force us to betray; for the anonymity of a title-page must ever be respected by a conscientious reviewer. But our readers may rest assured that the writer of "Odd Rhymes" is an idealist at whom not even so irreverent a jester as the writer of "Sir John Sparrow" would presume to scoff, if by chance they could be brought together for an hour's colloquy. We are certain that Mr. Begbie would respect the personality of the odd rhymers as he would respect his own. Such kinship is there between them that we could almost have imagined "Odd Rhymes" to be an earlier triumph of Mr. Begbie's pen during a vegetarian phase in his career, in which case the comparative dulness of "The Adventures of Sir John Sparrow" would be attributable to the deadening effect of a return to the flesh pots. But this is mere conjecture: we prefer to confine ourselves to facts.

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*Songs of the Veld and other Poems.* Reprinted from the *New Age*. (New Age Press, 8, John Street, Adelphi, W.C. 1s.)

During the South African War the *New Age* did magnificent service to the cause of justice by its fearless and outspoken exposure of Jingo brutalities; and it is fitting that some of the spirited verses that appeared in its columns should now be republished at the request and at the cost of its readers. Two of the poems contributed by Bertrand Shadwell, entitled "A Rebel

of the Veldt" and "De Wet," are in our opinion the best in the volume; but there are several others that reach a high poetic standard, and all have that ring of true feeling and sincerity which is too often lacking in present-day literature.

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*The Strategy of Nature.* By MARSHALL BRUCE WILLIAMS. (R. Brimley Johnson, London, 1902.)

The underlying idea of this thoughtful and finely written work is that it should be possible for modern science to propound some reasonably clear theory of "the strategy of nature" (*i.e.*, of the basic laws of the cosmos), upon which human society might be organised. The book is described on the title-page as "a statement of principles established by science; including a deduction from modern metaphysics, astronomy, and biology"; from which it will be seen that the writer's purpose is a sufficiently ambitious one and covers a far wider field of speculation than we are concerned with in THE HUMANE REVIEW. It is probable that Mr. Williams, dealing with so abstruse a theme, and one so alien from popular tastes, will have but few readers; but we are sure that no careful student of the book will fail to give its author credit for the terse and lucid language in which he has succeeded in expressing within a compass of fifty pages the somewhat vague and vast conceptions discussed by him. The work is in fact a prose poem, poetically conceived and executed.

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*The Story of Life.* By ELLICE HOPKINS. (Walter Scott Publishing Company, Ltd. 6d.)

This little work, which is written "for the use of mothers of boys," aims at lightening the difficulty "of imparting pure knowledge, on the subject of life and birth, to the young." The subject is treated at once firmly and delicately, and we can thoroughly commend the book as likely to do much good.



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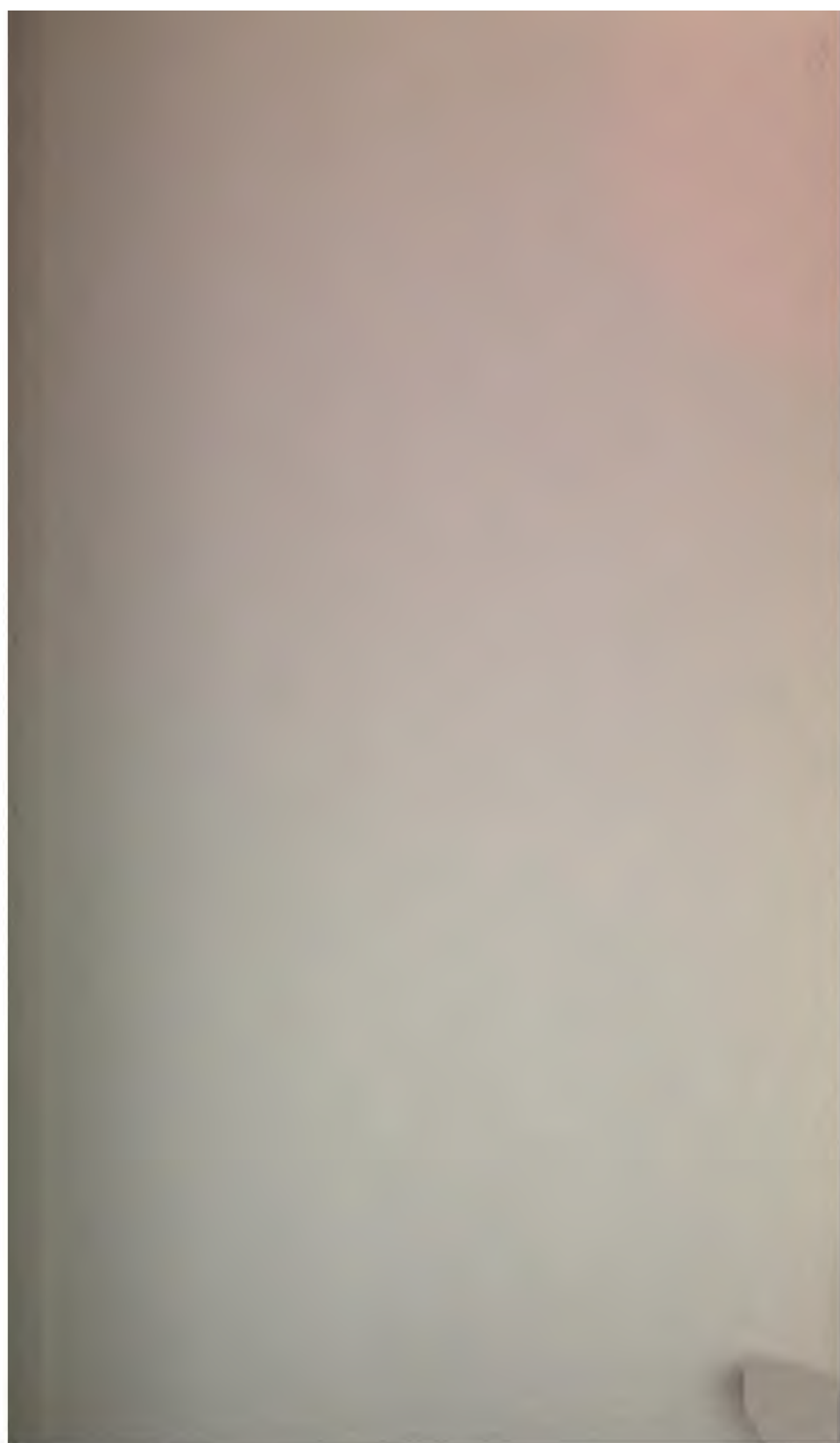
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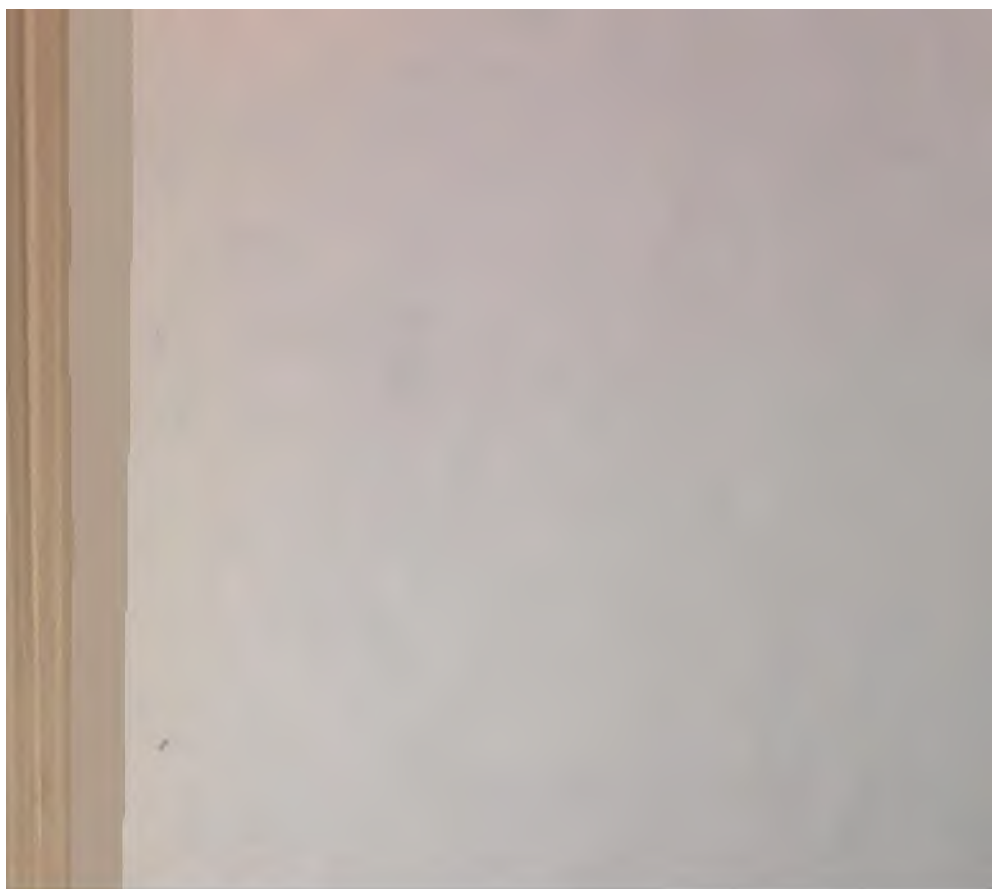
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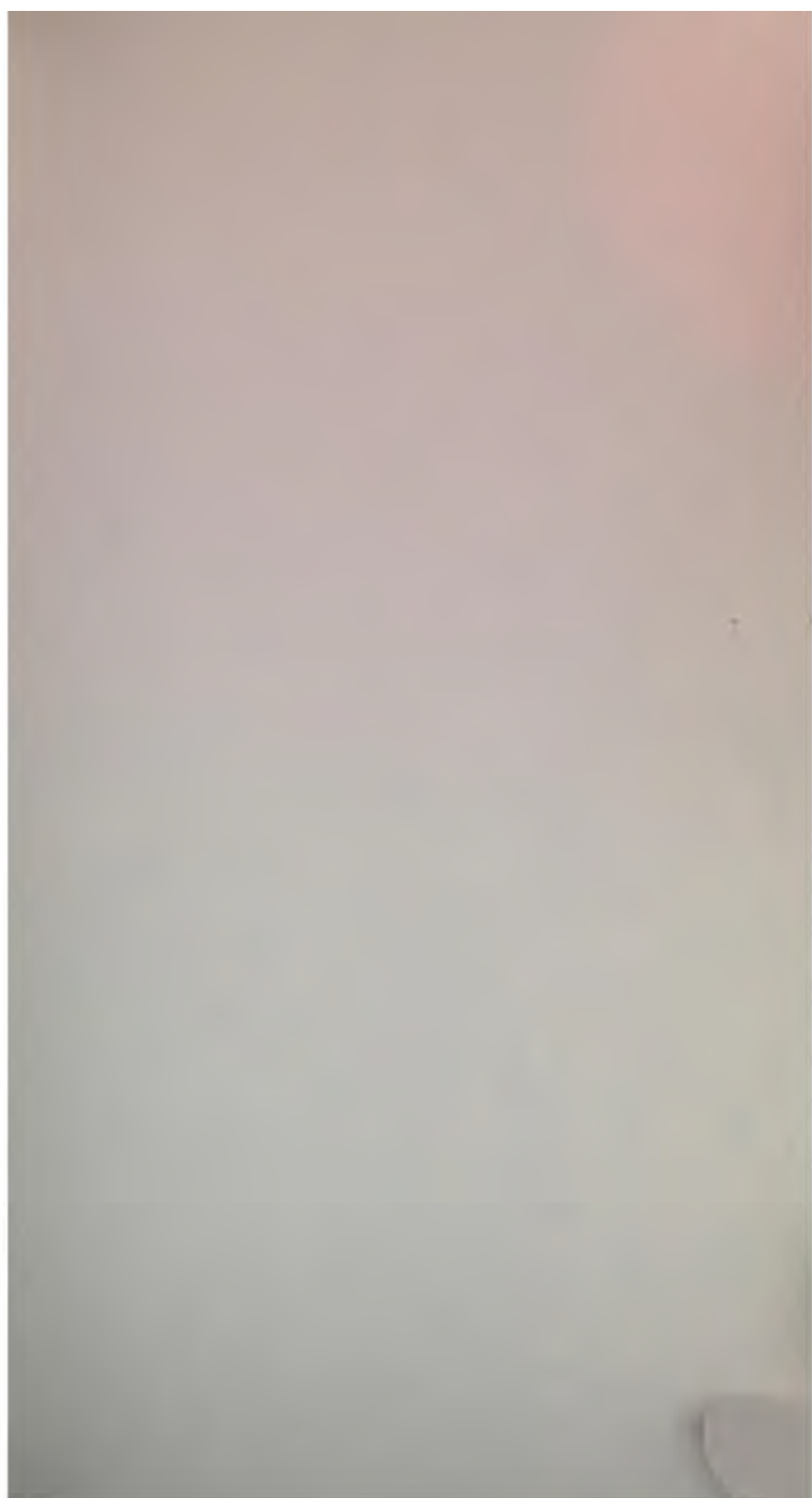
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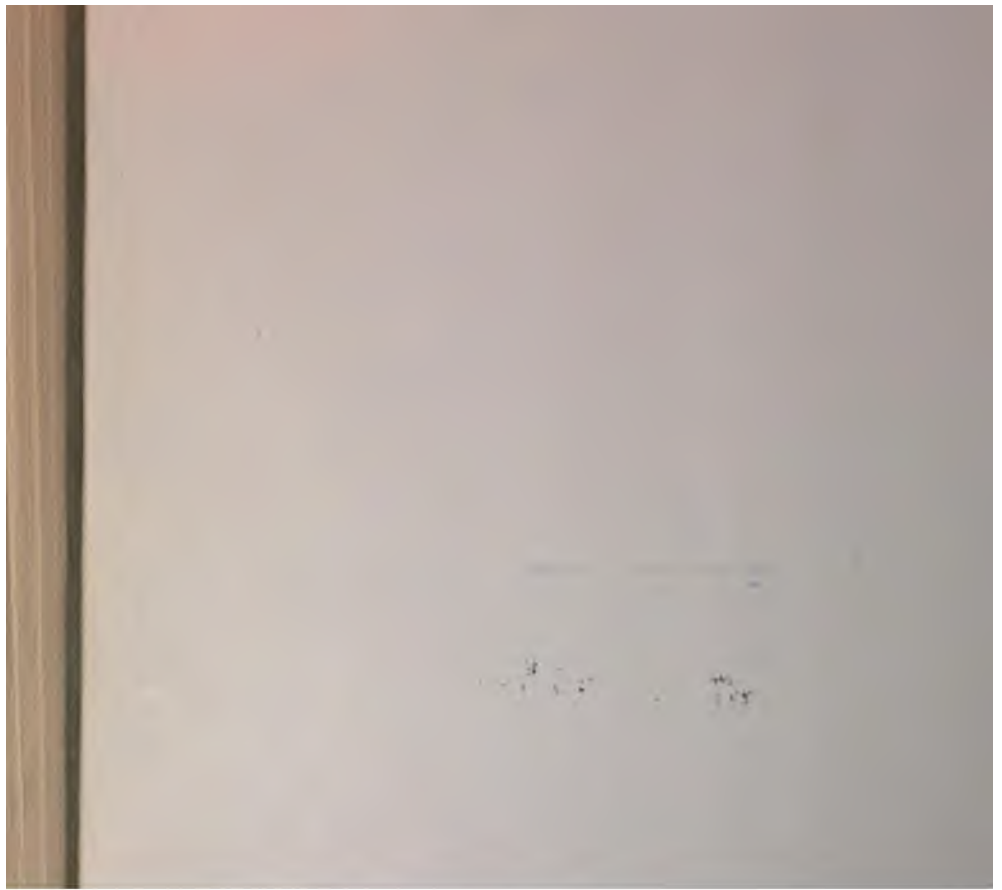
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